

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

COMMERCIAL SUMMARY SUIT NO.145 OF 2015

M/s. Gangadhar Oil Refinery (India) Limited ... Plaintiff

Versus

M/s. Anshul Steels Limited Defendant

.....
Ms. Aneesa Cheema I/b Verus for the Plaintiff.
.....

CORAM : S.C.GUPTE, J.

DATE : 23 MARCH 2018

P.C. :

1. This Commercial Suit is originally filed as a Summary Suit under Order 37 of the Code of Civil Procedure. Despite service of Writ of Summons, the Defendant has not entered appearance. The Defendant took out a Notice of Motion for condonation of delay in entering a appearance. That Notice of Motion has since been dismissed by this Court for want of prosecution. Accordingly, under Clause (3) of Rule 2 of Order 37, allegations in the plaint are deemed to be admitted by the Defendant and the Plaintiff is entitled to a decree forthwith.

2. The suit is accordingly decreed in terms of the prayer Clause (a).

(S.C.GUPTE, J.)