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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL (L) NO.484 OF 2018

I.M.Saxena & Ors. ...Appellants
vs.
Hiranandani Constructions
Pvt.Ltd. & Ors. ...Respondents

Mr.Arun Panicker for the appellants
Ms Deepa Pohuja and Mr.Siddharth Sisoria for the respondent No.1
Ms Sushma Singh and Ms Priyanka Raut for respondent No.6.

CORAM : A.S.OKA, &
M.S.SONAK,JJ.
DATE : OCTOBER 29, 2018

P.C.:

. Not on board. Taken on board.

1 By the impugned order dated 19th October 2018, the Chamber Summons taken out by the applicants has been rejected. When the Chamber Summons was heard, the applicants were absent. The Chamber Summons was opposed by the original plaintiffs and the defendant No.5. The learned counsel for the plaintiffs as well as the defendant No.5 have no objection if the impugned order dated 19th October 2018 is set aside and the Chamber Summons is order to be heard afresh. The said approach is reasonable as the appellants were not heard.

2 Hence, we pass the following order:

(I) The impugned order dated 19th October 2018 is quashed and set aside and the Chamber Summons (L) No.1524 of 2018 is restored to the file;

(II) It will be open for the applicants in the Chamber Summons to move the learned Single Judge;

(III) All contentions on merits are kept open;

(IV) Appeal is disposed of on above terms.

(M.S.SONAK,J.) (A.S.OKA,J.)