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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.105 OF 2016

IN

SUIT NO.913 OF 2014

Pingle Suppliers Pvt. Ltd. And Anr. ...Plaintiffs

VS

Gurukrupa Developers And 2 Ors. ...Defendants

....

Mr. Sunil Patel, i/b. Sunil & Co., for the Plaintiffs/Applicants.

.....

CORAM : S.C. GUPTE, J.

DATED : OCTOBER 19, 2018

P.C. :

. This chamber summons seeks recall of a dismissal order passed by the Prothonotary & Senior Master of this Court in the suit for non-service of writ of summons. Learned Counsel for the Applicants/Plaintiffs points out to the Court that the writ of summons had been duly served on the Defendants. Learned Counsel relies on an affidavit of service in this behalf, which has already been placed on record before this Court. Learned Counsel submits that on the date when this order was passed, no advocate could appear on behalf of the Applicants/Plaintiffs due to heavy rains. That makes for a reasonable excuse. The chamber summons is allowed in terms of prayer clause (b). The suit is restored to file. Place the suit for directions on 19 November 2018. The Applicants/Plaintiffs to communicate this order to the Defendants personally and file an affidavit of service by the next date.

(S.C. GUPTE, J.)