

vai

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

CHAMBER SUMMONS NO.19 OF 2012
IN
SUIT NO.564 OF 2015

WITH
NOTICE OF MOTION NO.3295 OF 2011
IN
SUIT NO.564 OF 2015

Bhavna H. Mehta (Now Bhavna S. Lodaria)	...Plaintiff
V/s.	
Virendra V. Mehta & Ors.	...Defendants

None for the Applicant / Plaintiff.

Ms.Merlyn Monteiro for the Defendant Nos.1, 2, 3 and 5.

CORAM : R.D. DHANUKA, J.
DATE : 17TH JANUARY, 2019.

P.C. :-

1. Ms. Merlyn Monteiro, learned counsel appearing for the defendant nos.1, 2, 3 and 5 invited my attention to an order dated 28th November, 2018 passed by the learned Prothonotary & Senior Master of this Court and would submit that in view of non-compliance of the said conditional order passed by the Prothonotary & Senior Master, Suit No.564 of 2015 has already dismissed under Rule 87 of the Bombay High Court (Original Side) Rules. The statement is accepted.

2. In view of dismissal of the said suit, the Chamber Summons No.19 of 2012 and the Notice of Motion No.3295 of 2011 do not survive and are accordingly dismissed. There shall be no order as to costs.

(R.D. DHANUKA, J.)