

dik

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.**

Dhanappa
I. Koshti

Digitally signed by
Dhanappa I.
Koshti
Date: 2019.08.07
14:43:44 +0530

**NOTICE OF MOTION NO. 489 OF 2017
IN
SUIT NO. 393 OF 2012**

Kantilal Prabhatbhai Bangliwala ...Applicant/Plaintiff
VS
Orinoco Marine Consultancy & Anr. ...Defendant

.....
Ms Naseem Sumnani I/b Bhatt & Saldanha for the Defendant.
Ms Ujwala Bangliwala wife of the plaintiff present in person.
.....

**CORAM : B. P. COLABAWALLA, J.
AUGUST 6, 2019.**

P.C. :

The learned advocate appearing on behalf of the defendant tenders an affidavit dated 5th August, 2019. The same is taken on record.

2 By my order dated 23rd July, 2019, I had directed the office to verify as to when and by what order the present suit was transferred to the Bombay City Civil Court. The Registry has filed a report before me which states that as per the Notification dated 28th August, 2012 (Flag-B to the said report), this suit was transferred to the Bombay City Civil Court on 3rd October, 2012. Despite the suit being transferred, the present Notice of Motion has been filed in this

Court in the year 2017. Thus it is clear that this Notice of Motion is not maintainable. In these circumstances, the Notice of Motion is dismissed. No order as to costs.

(B.P.COLABAWALLA, J.)