

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
COMMERCIAL CHAMBER SUMMONS NO.449 OF 2019
IN
COMMERCIAL SUIT NO.223 OF 2018**

The Mobile Store Services Ltd & Anr ..Plaintiffs
Vs.
Tara India Fund III Domestic Trust & Ors ..Defendants

Mr. Mandar Soman for Plaintiff No. 2/Applicant in CHSCD/449/19;
Mr. Chirag Chanani I/b Dewani and Associates for Plaintiff No. 1.
Ms. Upasana Vasu I/b Wadia Ghandy and Co. for Defendants

**CORAM : K.R.SHRIRAM, J.
DATE : 16th JULY 2019**

P.C.:

1 Strangely, there are two lawyer firms representing two plaintiffs. Mr. Soman appearing for plaintiff no.2, who is the applicant, states that copy of the chamber summons has been served directly on plaintiff no.1 on 24th April 2019. Mr. Soman undertakes to file affidavit of service.

2 Mr. Chanani for plaintiff no.1 instructed by Dewani and Associates states that he has not been receiving any instructions and even yesterday he tried to contact plaintiff no.1, to which there was no response.

3 In the circumstances, chamber summons allowed in terms of prayer clause (a). Chamber summons accordingly disposed.

4 Suit be listed for dismissal on 22nd July 2019.

5 Mr. Soman undertakes to inform plaintiff no.1 about this order

and also inform plaintiff no.1 that, if they are not represented on the next date, the suit will get dismissed for want of prosecution. Mr. Soman to produce the proof of delivery of this communication on the next date.

(K.R. SHRIRAM, J.)