

Tandle

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

**NOTICE OF MOTION NO. 1102 OF 2019
IN
CHAMBER SUMMONS NO. 77 OF 2019
IN
SUIT NO. 206 OF 2019**

Shivram Shivjor Yadav & Anr. ... Applicants.

In the matter between

Cedric Merwyn Creado & Anr. ... Plaintiffs.

Versus

Akruti Nirman Pvt. Ltd. & Ors. ... Defendants.

.....

Mr. Shriram Kulkarni a/w Ms. Minal V. Chavan i/b Sonkar
Harischandra Shriram for Plaintiff.

Mr. Anukul B. Seth i/b P. V. Thorat for Defendant Nos. 1, 2 & 12.

Mr. Ashish Kamat i/b Anil Mishra for Defendant Nos. 14 & 15.

Mr. Anoop U. Patil for Defendant No. 17.

Mr. Kedar Dighe, AGP for Defendant Nos. 18 to 20.

Mr. Vijendra Kumar Rai for Applicant in NMS/1120/2019;

Mr. Sandeep Parikh i/b V. B. Singh for Applicant in CHSL/945/2019.

Mr. Dadasaheb Shingade for MCGM.

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CORAM : K. R. SHRIRAM, J.

DATE : 22nd JULY, 2019

P. C. :

1. Mr. Kulkarni for Plaintiff states that, without prejudice to the plaintiff's rights and contentions, this Notice of Motion for restoration of Chamber Summons no. 77 of 2019 be allowed.

2. In view thereof, Notice of Motion allowed in terms of prayer Clause (a), (b) & (c). Chamber Summons No. 77 of 2019 restored to file.

3. Notice of motion accordingly stand disposed of.

**NOTICE OF MOTION NO. 590 OF 2019
IN
SUIT NO. 206 OF 2019**

1. Mr. Kulkarni states that, reply of BMC and SRA has been served upon him and Mr. Kulkarni requested that matter be stood over, so that he can take instructions and if required file a response affidavit.

2. Mr. Kamat for Defendant Nos. 14 & 15 also wants to file Affidavit-in-reply. So also the other defendants.

Affidavit-in-reply to be filed and copy served within two weeks from today. Rejoinder, if any, to be filed and copy served within two weeks thereafter.

3. Notice of Motion to be listed for hearing after five weeks.

4. In the meanwhile, Chamber Summons No. 77 of 2019 and Chamber Summons (L) No. 945 of 2019 be listed for hearing.

5. Plaintiff has filed reply only to Chamber Summons No.

77 of 2019, whereas for the other Chamber Summons Mr. Kulkarni seeks two weeks time to file a reply. Time granted.

6. Rejoinder, if any, to be filed within one week after receiving the reply.

7. Chamber Summons No. 77 of 2019 and Chamber Summons (L) No. 945 of 2019 be listed for hearing on 19th August, 2019.

8. Notice of Motion be listed for hearing on 27th August, 2019.

(K. R. SHRIRAM, J.)