

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

**SUIT NO.381 OF 2017**

Pushpa Manohar Dawane, through POA )  
Santosh Manohar Dawane )....Plaintiffs  
V/s.  
Shubha Umesh Raul & Ors. )....Defendants

WITH

**NOTICE OF MOTION NO.1556 OF 2018**  
**NOTICE OF MOTION NO.1524 OF 2018**

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Mr.C.N.Chavan for plaintiffs.  
Mr.Zaman Ali for defendant no.5.  
Mr.R.Y.Sirsikar with D.S.Shingade for MCGM.

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**CORAM : K.R.SHRIRAM,J**  
**DATE : 9.1.2019**

**P.C.:-**

**SUIT NO.381 OF 2017**

1. Mr.Chavan for plaintiffs states that defendant nos.2, 5, 6, 7 and 12 have not been served with writ of summons yet. Mr.Ali for defendant no.5 waives service of writ of summons and states his written statement is ready and will be lodged in the registry during the course of today.

2. Prothonotary and Senior Master, High Court, Bombay to extend the returnable date in the writ of summons to 15.2.2019 and issue writ of summons to plaintiffs' advocate for service on defendant

nos.2, 12, 6 & 7 on or before 15.1.2019. Writ of summons to be issued by 12.00 noon tomorrow. Writ of summons shall be served by hand delivery on or before 20.1.2019 failing which suit will stand dismissed without further reference to the court against undefended defendants.

3. Stand over to 22.2.2019 for directions.

**NOTICE OF MOTION NO.1524 OF 2018**

1. Mr.Chavan states that the order dated 1.8.2017 read with order dated 14.11.2017 have already been implemented and therefore, nothing remains in the Notice of Motion.

2. Mr.Chavan also undertakes to this court that plaintiffs will not destroy any of the mangroves and will strictly comply with the environmental laws and other relevant laws of the land. In view of this undertaking, Mr.Chavan states Notice of Motion can be disposed. Undertaking accepted.

3. Notice of Motion stands disposed accordingly.

4. For completion of record, registry to take on record the rejoinder in the Notice of Motion.

**NOTICE OF MOTION 1556 OF 2018**

1. Mr.Chavan states that nothing survives in this Notice of Motion. Notice of Motion accordingly disposed.

**(K.R.SHRIRAM,J)**