

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
COMMERCIAL CHAMBER SUMMONS NO.729 OF 2018
WITH
COMMERCIAL CHAMBER SUMMONS NO.730 OF 2018
WITH
COMMERCIAL NOTICE OF MOTION NO.109 OF 2017
IN
COMMERCIAL SUIT NO.147 OF 2017**

Prakash Ramchandra Munankar ..Plaintiff
Vs.
Sugee Developers & Ors ..Defendants

Mr. J.S. Yadav I/b Mr. Balasaheb Deshmukh for Plaintiff / Applicant
Mr. Sanjeel Kadam I/b Kadam & Co. for Defendant No.1

**CORAM : K.R.SHRIRAM, J.
DATE : 4th MARCH, 2019**

P.C.:

CHAMBER SUMMONS NO.729 OF 2018

1 Ms Kadam appearing for defendant no.1 states that this chamber summons is not maintainable since the suit itself has got dismissed for non compliance of Original Side Rule 87.

2 This chamber summons is to bring on record the legal heirs of defendant no.2, who expired on 26th May 2015. The chamber summons has been lodged on 4th May 2018. By an order dated 1st August 2018, the suit against defendant nos.2 to 4 has already been dismissed for non removal of

office objections.

3 In the circumstances, the chamber summons is not maintainable and hence dismissed with liberty to apply, if the suit against defendant nos.2 to 4 for any reason gets restored.

CHAMBER SUMMONS NO.730 OF 2018

4 Mr. Yadav appearing for plaintiff/applicant states that this chamber summons to be stood over, since he will have to reconsider the schedule, in view of chamber summons no.729 of 2018 being dismissed.

5 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.

6 Stand over to 15th April 2019.

(K.R. SHRIRAM, J.)