

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

**NOTICE OF MOTION NO. 1837 OF 2016
IN
SUIT NO. 432 OF 2014**

Zam Zam Towers Co-op. Hsg. Soc. Ltd. ..Applicants

In the Matter between

Ace Enterprises ..Plaintiff/s

v/s.

Ikra Developers & Ors. ..Defendant/s

Mr. Evanta Gonsalves for the Plaintiff/s

Mr. Kunal Damle I/b. Hemant Ghadigaonkar for the Defendant No.2.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 11th APRIL, 2019.**

P.C.

1. By this Notice of Motion, the applicant has sought to condone the delay of 248 days in filing the written statement, and to recall the Order dated 1.10.2015 and to permit them to file the written statement.

2. The learned Counsel for the Plaintiff has given no objection for condoning the delay and to recall the Order dated 1.10.2015 of the Prothonotary & Senior Master and to permit the applicant to file Written Statement. In the light of the said statement, delay is

condoned. Order dated 1.10.2015 is recalled. The Defendant No.2 is permitted to file the written statement in the Registry within two weeks, with copy to the Plaintiff.

3. Notice of Motion stands disposed of.

(ANUJA PRABHUDESSAI, J.)