

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

CHAMBER SUMMONS NO.1060 OF 2018

IN

NOTICE OF MOTION NO.182 OF 2018

IN

SUIT NO.589 OF 2017

Nafess Ahmed Siddique)....Applicant

IN THE MATTER BETWEEN :

M/s.V.Nandlal & Co. &Ors.)....Plaintiffs

V/s.

Nafess Ahmed Siddique & Ors.)....Defendants

CHAMBER SUMMONS NO.903 OF 2018

IN

SUIT NO.589 OF 2017

Satish Shankar Marathe & Anr.)....Applicant

IN THE MATTER BETWEEN :

M/s.V.Nandlal & Co. &Ors.)....Plaintiffs

V/s.

Nafess Ahmed Siddique & Ors.)....Defendants

Mr.Trushar Bhavsar a/w Mr.Rutvij Bhatt I/by Manoj Bhatt for plaintiffs.

Ms.Swati Sawant for applicant in CHS 903 of 2018.

Mr.Ashok K.Goel for defendant nos.1 and for applicant in CHS 1060/2018.

Mr.Abdul Millwata for defendant nos.2, 3 & 4.

CORAM : K.R.SHRIRAM,J

DATE : 28.1.2019

P.C.:-

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1. Heard the counsel. For reasons mentioned in the affidavit in support, Chamber summons allowed in terms of prayer clauses-(a) and (b) which read as under :-

“(a) That the Delay in filing the Affidavit in Reply in Notice of Motion No.182 of 2018 in Suit No.589 of 2017, be condoned ;

(b) That Leave be granted to the Applicant (Org.Defendant No.1), to file his Affidavit in Reply in Notice of Motion No.182 of 2018 in Suit No.589 of 2017.”

2. Registry to accept the Chamber summons.
3. Mr.Bhavsar for plaintiff presses for costs.
4. Having considered the affidavit in support, costs to be costs in the suit.
5. Chamber summons accordingly disposed. Affidavit in reply of plaintiff is taken on record.

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1. Ms.Swati Sawant for the applicant states that she has recently been instructed by the applicant and undertakes to file Vakalatnama within one week. At the same time, Ms.Sawant states that plaintiff no.7 has expired recently. Mr.Bhavsar for plaintiff states he will take out appropriate application to bring on record the legal heirs of plaintiff no.7.

2. Affidavit in reply to the Chamber summons to be filed in the registry by tomorrow i.e., 29.1.2019. Rejoinder, if any, to be filed within one week.

3. Chamber summons be listed for hearing on 11.2.2019.

(K.R.SHRIRAM,J)