

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

CHAMBER SUMMONS NO.1397 OF 2018

WITH

NOTICE OF MOTION NO.1409 OF 2018

NOTICE OF MOTION NO.1651 OF 2018

NOTICE OF MOTION NO.2557 OF 2018

IN

SUIT NO.630 OF 2017

Capt.Bernd Kai Von Hoesslin)....Plaintiff

V/s.

Pooja Singh Gujral and Ors.)....Defendants

Dr.Birendra Saraf a/w Mr.Samit Shukla and Ms.Raveen Dhawan I/by
DSK Legal for plaintiff/applicant in NMS 1651 of 2018.

Mr.Akash Menon for defendant nos.1 & 2.

Mr.Shyam Dewani a/w Ms.Nivedita M. and Mr.Chirag Chanani I/by
Dewani and Associates for defendant no.3/applicant in CHS 1397/2018
and NMS 1409 of 2018.

Mr.Sandeep V.Marne for defendant nos.4 & 5.

CORAM : K.R.SHRIRAM,J

DATE : 15.4.2019

P.C.:-

1. Chamber summons listed today is to defer the time to file written statement by defendant no.3 until Notice of Motion No.1409 of 2018 was heard and disposed. Notice of Motion No.1409 of 2018 is also listed today and therefore, was taken up first for hearing. After the Notice of Motion was heard for some time, Mr.Dewani for applicants in fairness stated that he will withdraw the Notice of

Motion and file written statement within 4 weeks.

2. In the circumstances, Notice of Motion No.1409 of 2018 dismissed as withdrawn. Written statement to be filed and copy served on or before 15.6.2019.

3. Suit be listed for directions on 28.6.2019. It is made clear that no further time will be granted to file written statement.

4. In view of the above, Chamber summons No.1397 of 2018 does not survive and is accordingly disposed.

NOTICE OF MOTION NO.1651 OF 2018

5. An ad-interim order came to be passed on 13.11.2017. Dr.Saraf prays that the order be confirmed as order in the Notice of Motion and Notice of Motion be disposed. Counsel for defendants have no objection. Therefore, order dated 13.11.2017 is confirmed as order in the Notice of Motion and Notice of Motion stands disposed accordingly. For completion of record, registry to take on record the affidavit-in-reply being filed by defendant nos.4 & 5.

NOTICE OF MOTION NO.2557 OF 2018

6. To be listed for hearing on 25.6.2019.

(K.R.SHRIRAM,J)