

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

NOTICE OF MOTION NO. 1802 OF 2017

**IN
SUIT NO. 402 OF 2013**

Atithi Developments Pvt. Ltd.Applicant

In the matter between :-

Atithi Developments Pvt. Ltd.Plaintiff

V/s.

Ramashankar R. Yadav and ors.Defendants

Mr. Dipen Furia a/w. Mr. Harsh Kesharia I/b. M/s. Shah and
Furia Associates for the plaintiff.

Mr. Ramchandra Yadav i/b. Legal Vizz for defendant no.4.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 02nd APRIL, 2019.

P.C.:

. By this Notice of Motion, the plaintiff has sought to recall the order dated 22/08/2017 whereby the suit was dismissed for non prosecution.

2. Heard the learned counsel for the plaintiff and the learned counsel for the defendant. I have perused the reasons stated in paragraph 3, 4 and 5 of the affidavit in support of the Notice of Motion. The said reasons, in my considered view, constitute sufficient ground. Hence, the order dated 22/08/2017 is recalled. Notice of Motion stands disposed of. Suit is restored to file.

3. Suit is adjourned to 23/04/2019.

(SMT. ANUJA PRABHUDESSAI, J.)