

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

**COMMERCIAL SUMMARY SUIT (LODG.) NO. 1318 OF 2018
ALONG WITH
INTERIM APPLICATION NO. 1 OF 2019
IN
COMMERCIAL SUMMARY SUIT (LODG.) NO. 1318 OF 2018**

Dharmendra Mahendrabhai Patel .. Plaintiff
Vs.
Parshotam Ramdas Negchiani .. Defendants
& Ors.

Mr. Deep Morabia i/b Zaid Ansari for applicant in IA/1/2019.

None for defendants.

**CORAM : N.J. JAMADAR, J.
DATE : 16TH DECEMBER 2019**

P.C.

INTERIM APPLICATION NO. 1 OF 2019

1. Heard the learned counsel for the applicant.
2. The application is moved for setting aside the order passed by the Prothonotary and Senior Master on 28th March 2019, whereby the suit came to be rejected under the provisions of Rule 986 of the High Court, Original Side, Rules, for default on the part of the plaintiff in removing the office objections.
3. For the reasons assigned in the application, the application stands allowed.

The order dated 28th March 2019 stands set aside.

4. Commercial Summary Suit (Lodg.) No. 1318 of 2018 and Notice of Motion (Lodg.) No.2260 of 2018 stand restored to file.
5. The plaintiff shall comply with the office objections within a period of four weeks from today.
6. The interim application stands disposed of.

[N.J. JAMADAR, J.]