

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

Interim Application No.1 OF 2019

in

SUIT NO.674 of 2013

Sardar Anwar Hussain ...Applicant/Orig.Plff.8

In the matter between

1.Arvind G.Naik & Ors. ...Plaintiffs

Versus

1.New D.N.Nagar Co-op.Hsg.Societies Union Ltd.

and ors. ...Defendants

Mr.Yatin R.Shah with Mr.Shivam Bhagwati and Mr.Shahzad Khajotia, for
the Applicant.

Ms.Apeksha Munot i/b. Wadia Ghandy & Co., for Defendant no.3.

CORAM : G.S. KULKARNI, J.

DATE : 17th DECEMBER, 2019

PC.:

1. It is informed that defendant no.1 who would be contesting this application is already served. However, none appears for defendant no.1. Affidavit of service to that effect would be placed on record by tomorrow. It is stated that earlier Mr.Desai was representing defendant no.1 who has taken discharge.

2. To enable defendant no.1 to appear in the present application, as a matter of last opportunity, stand over to 14 January 2020. Pending application and chamber summons also be listed.

3. Learned Counsel for the applicant is permitted to issue a fresh notice informing the adjourned date of hearing to defendant no.1. It is clarified that on the adjourned date of hearing despite service the defendants are not represented, the Court shall hear the proceedings and pass appropriate orders.

4. A copy of this order be also forwarded alongwith the Advocate's notice to defendant no.1.

[G.S. KULKARNI, J.]