

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

NOTICE OF MOTION NO.495 OF 2019

IN

SUIT NO.210 OF 2019

Super-Max Personal Care Pvt. Ltd.Applicant/Plaintiff

Vs.

Subhash D. ChaudhariDefendant

Mr. Ashish Kamat a/w. Mr. Rohan Kelkar and Ms. Anushka Shah I/b. AZB and Partners for applicant/plaintiff.

Mr. Anirban Sen I/b. Hariani and Company for defendant.

CORAM : K.R.SHRIRAM, J.

DATE : 25th FEBRUARY 2019

P.C.:

1 Mr. Sen, counsel for defendant states that the ad-interim order passed on 21st January 2019 read with order dated 11th February 2019 may be continued until the disposal of the suit and the notice of motion can be disposed. Mr. Kamat has no objection. Mr. Sen states that he will file written statement by 30th March 2019. Mr. Sen also waives service of the writ of summons.

2 Therefore, the order dated 21st January 2019 read with order dated 11th February 2019 is confirmed as order in the notice of motion and notice of motion accordingly stands disposed.

3 Written statement to be filed and copy served by 30th March 2019.

4 By 5th April 2019 parties shall file their respective affidavit of documents and serve a copy thereof upon the other side, failing which parties will not be permitted to rely on any document, copy whereof is not annexed to the plaint and/or written statement and mentioned in the list of documents annexed to the plaint and/or written statement. This will not, however, prevent a party from confronting a witness of another party with any document.

5 By 12th April 2019 inspection to be completed and statement of admission and denial with reasons for denial to be exchanged. If inspection is not given, such party will not be permitted to rely on any document. If the statement of admission and denial is not given, parties shall be deemed to have admitted the existence of all the documents of the other side.

6 Suit be listed for issues on 16th April 2019 on which date parties shall come with agreed draft issues and a separate list of issues on which they are unable to agree. On the next date, if parties do not come with draft issues, they are put to notice that parties will be put to terms.

(K.R. SHRIRAM, J.)