

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL NOTICE OF MOTION NO.872 OF 2019
IN
COMMERCIAL IP SUIT NO.17 OF 2011**

Ashok D. Hardasani and Anr.Applicants/Plaintiffs
V/s.

M/s. Deepsons Ornaments and Ors.Defendants

Ms. Priya Thakkar i/b. Jehangir Gulabbhai and Bilimoria and Daruwalla for
applicants/plaintiffs.
None for defendants.

**CORAM : K.R.SHRIRAM, J.
DATED : 17th FEBRUARY 2021**

PC. :

1 This notice of motion is filed under Order 18 Rule 17 of the Code of Civil Procedure to recall PW-1 as witness. The reason can be found in paragraphs 6 to 12 of the affidavit in support. Ms. Thakkar states that the notice of motion with the affidavit in support has been served on defendants in 2019 itself and undertakes to file affidavit of service within one week from today. No affidavit in reply has been filed. Nobody is present for defendants either though the name of Mr. Rajesh Desai, Advocate is shown in the cause list.

2 Therefore, notice of motion is allowed and accordingly disposed in terms of prayer clause – (a).

3 PW-1 – Ashok Deepchand Harsadani, who is also plaintiff no.1, shall file further evidence in examination in chief together with compilation

of documents and serve a copy thereof upon defendants within three weeks from today.

4 Stand over to 17th March 2021 for directions.

(K.R. SHRIRAM, J.)