

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 1665 OF 2021
IN
COMMERCIAL SUIT NO. 235 OF 2020

AllCargo Logistics Ltd. ... Applicant/Plaintiff

vs.

The New India Assurance Co. Ltd. ... Respondent

Mr. Aditya Bapat a/w. Mr. S.A.K. Najam-es-sani i/b. M/s. Maneksha & Sethna
for the Applicant / Plaintiff.

CORAM : A. K. MENON, J.

DATED : 2nd SEPTEMBER, 2021.

P.C. :

1. Learned counsel for the applicant states that the writ of summons has still not been served. He seeks extension of time to serve the writ of summons. Even otherwise from Exhibit A it appears that summons has been issued on the basis of Order 37 when the suit is a regular Commercial Suit. Hence leave is granted to apply for fresh writ of summons, returnable date of which shall be eight weeks from today. If summons is not served with the aforesaid period of eight weeks and affidavit of service is not filed suit will stand dismissed without further reference to Court.

2. Interim Application is disposed in the above terms.

(A. K. MENON, J.)