



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL NOTICE OF MOTION (L) NO.1811 OF 2018
IN
COMMERCIAL SUIT NO.939 OF 2019

M.R. Realtors and Anr.Applicants/Plaintiffs

Vs.

Anita Manmohan DidwaniaDefendant

WITH
COMMERCIAL NOTICE OF MOTION (L) NO.1805 OF 2018
IN
COMMERCIAL SUIT NO.934 OF 2019
WITH
COMMERCIAL NOTICE OF MOTION (L) NO.1807 OF 2018
IN
COMMERCIAL SUIT NO.931 OF 2019
WITH
COMMERCIAL NOTICE OF MOTION (L) NO.1810 OF 2018
IN
COMMERCIAL SUIT NO.932 OF 2019
WITH
COMMERCIAL NOTICE OF MOTION (L) NO.1814 OF 2018
IN
COMMERCIAL SUIT NO.938 OF 2019
WITH
COMMERCIAL NOTICE OF MOTION (L) NO.1815 OF 2018
IN
COMMERCIAL SUIT NO.942 OF 2019

Mr. Chandrakant M. Vithlani I/b. Kumar and Associates for applicants/
plaintiffs in all suits.

Mr. Girish B. Kedia for defendant no.1.

Ms. Vijeta Pal I/b. Inter Juris for defendant no.2.

Mr. Durgaprasad Halwai I/b. Singhi and Company for defendant no.4.

CORAM : K.R.SHRIRAM, J.

DATE : 23rd JULY 2019

P.C.:

1 Mr. Vithlani, counsel for plaintiffs states that all office
objections in the suits have been removed and the suits have been

Gauri Gaeckwad

numbered. Mr. Vithlani is seeking restoration of the notices of motion in all these suits, which are listed today, based on a praceipe filed by plaintiffs' advocate since those notices of motion came to be dismissed alongwith the suits.

2 Mr. Vithlani states that his colleague, who had appeared on 25th June 2019, was not aware that there were these notices of motion which were pending and which had been dismissed. Mr. Kedia, Mr. Pal and Ms. Halwai have no objection for restoring the notices of motion because that would also save considerable judicial time and avoid multiplicity of proceedings.

3 Therefore, the notices of motion, which are listed today, are restored to file. All office objections in the notices of motion to be removed and notices of motion to be numbered within two weeks from today. If this is not strictly complied with, notices of motion will stand dismissed without further reference to this Court with no change of any extension being granted or application for restoration being entertained.

4 In the order of 25th June 2019, plaintiffs were directed to serve a true copy of the plaint upon all defendants. The counsel for defendant nos.1, 2 and 4 in unison state that they have not been served a true copy of

the plaint and therefore, plaintiffs are in breach of the directions passed by this Court on 25th June 2019.

5 Mr. Vithlani states that his colleague was attending to this matter but assures the Court that by 5.00 p.m. on 24th July 2019 true copy of the plaint will be served upon defendants. Statement accepted.

6 By 26th July 2019 plaintiffs shall also file affidavit of service of true copy of the plaint, failing which suits and notices of motion will stand dismissed without further reference to this Court.

7 If such an affidavit is filed, then the suit be listed for directions after eight weeks.

(K.R. SHRIRAM, J.)