

IN THE COURT OF SMALL CAUSES
AT BOMBAY.

R.A.E. & R. Suit No. 209/2010

Exh 88

2

The Trustees of Pansi
Panchayat fund &
Properties

..... Plaintiffs.

v/s

Freny Pagdiwala & anr.

..... Defendants

APPLICATION ON BEHALF OF DEFENDANT NO. 2
FOR SET ASIDE NO REPLY ORDER DATED 20/09/21

MOST RESPECTFULLY SUBMIT AS UNDER:

- 1) That the above matter is on today's Board & kept for hearing & order on Exh: 86
- 2) That the our client is senior citizen. She has collected the papers (EX-86) through our ^{retainer} Advocate but due to inadvertance she didn't handover the same at Adv. office.
- 3) AND consequently the reply could not be filed for the same & meantime on 20/09/2024 "No Reply" order was passed by this Hon'ble court.
- 4) It is submitted that the Plaintiff has purportedly filed misconceived documents which are not as per record.
- 5) That in view of the above Def. No. 2 wants to file detail reply for the same.
- 6) It is therefor prayed that the Hon'ble Court be pleased to grant time ^{to} file reply on Ex. 86 on next hearing date. & matter be removed from "No Reply" order on Ex- 86.

Dated: 6th Dec, 2022

Ravalekar

Adv. for Def. No. 2

O.S. to
say

Just
CMG
6/12/22

Say 8 Puffs.

1. The Application is by Deft 2
2. Nothing stated in the Application is admitted &/or accepted
3. The Puffs have been found to be prejudicial by virtue of the deft 2 holding on the suit premises
4. In fact no cause has been shown by the deft 2 but the Application is by the Advocate
5. For the reasons the Application is dismissed with compensatory cost

Washob
21/1/23

Pratima Singh
Representative of Puff

Read the application
and reply. W. advocate
party present but
for deft no. 2 not appeared
However, in the interest
of justice application
allowed. No reply order
is hereby set aside with
direction that deft no. 2
shall have to file the reply
today. If failed the
matter again gain same
caption of "no reply".
Parties to take note.

21/1/2023