

IN THE BOMBAY CITY CIVIL COURT AT BOMBAY

Notice of Motion No.393 of 2013
In
S.C. Suit No.3676 of 2010
(High Court Suit No.1253 of 2010)

Jayantilal C. Doshi ..Plaintiff

V/s.

Kaushik Dullabhjiwalal & anr. ..Defendants

Advocate Ms.Uma Sharma for plaintiff.
Advocate Shri Pareira for defendants.

Coram : His Honour Judge
Shri S.B. AGRAWAL
Dated : 15th April,2013
(C.R.No.1)

ORAL ORDER

Defendants have taken out this Notice of Motion for taking written statement on record by condoning delay.

2 It is contended that there were settlement talks going on between the parties because of which the filing of written statement got delayed. This contention has been denied by the plaintiff in hi reply.

3 At the outset, it would be appropriate to mention that the present suit was initially filed before the Hon'ble High Court

and thereafter on enhancement of pecuniary jurisdiction of this court, the matter was transferred to this court. Perusal of minutes of order dated 3rd April,2012 reveal that the matter was adjourned to 8th May,2012 for filing written statement and thereafter no orders were passed and after the matter was transferred to this court, the present Notice of Motion was taken out.

4 Considering all the above circumstances I am of the view that interest of justice would be served if written statement is taken on record subject to reasonable cost and as such I pass following order:

ORDER

Notice of Motion No.393/13 is made absolute in terms of prayer clause (a) subject to cost of Rs.10,000/- to be paid within two weeks.

15/04/2013

(S.B.Agrawal)
Judge,
City Civil Court, Gr.Mumbai

Dictated on : 15/04/2013
Transcribed on : 15/04/2013
Signed by H.H.J. on : 15/04/2013