

MHCC040016902013



**BOMBAY CITY CIVIL COURT, BORIVALI DIVISION AT
DINDOSHI, GOREGAON, MUMBAI**

**NOTICE OF MOTION NO.3628 OF 2019
(CNR NO.MHCC04-008989-2019)**

IN

**S.C. SUIT NO. 1001 OF 2013
(CNR NO.MHCC04-001690-2013)**

Mr.Rakesh Parmatmanath Tiwari

...Plaintiff

Vs

Mr.Indresh Parmatmanath Tiwari

...Defendant

CORAM: H.H.AD-HOC CITY CIVIL JUDGE

SHRI M.I.LOKWANI

(C.R.NO.4)

DATE : 03rd January, 2020

Advocate Radha Pal for Plaintiff.

Advocate Mohit Darji for Defendant.

ORAL ORDER

1. Perused Notice of Motion and say of the plaintiff on the back side of the Notice of Motion, wherein it is submitted that applicant has not filed any authority letter or Power of Attorney to file present Notice of Motion on record. Similarly, no medical certificate is produced to substantiate the claim of defendant that he is ill. Heard both the learned Advocates and gone through the record. It is not in dispute that suit proceeded exparte against the

defendant on 11.6.2013. The grounds mentioned in the affidavit in support of that no such documentary evidence placed on record. Furthermore, defendant failed to show sufficient cause for **delay of 1921 days for filing of present Notice of Motion**. Moreover, there is no authority letter/power of attorney or any other document to show that applicant is duly authorised to file the present Notice of Motion. From the aforesaid reasons, I do not find any substance in the present Notice of Motion. Hence, I proceed to pass the following order:-

: ORDER :

Notice of Motion No.3628/2019 is hereby dismissed and disposed of accordingly.

03.01.2020

(M.I.Lokwani)
Ad-hoc Judge, City Civil Court,
Borivali Div. Dindoshi, Mumbai.

Date of dictation	: 03/01/2020
Date of transcription by steno	: 03/01/2020
Date of order signed by HHJ	: 03/01/2020

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

UPLOAD DATE

AND TIME : 04.01.2020,11.20 PM

Sandeep M. Bandekar

NAME OF STENOGRAPHER

Name of the Judge (with Court Room No.)	HHJ Shri M.I.Lokwani (Court Room No.4)
Date of Pronouncement of Judgment/Order	03/01/2020
Judgment/Order signed by P.O. on	03/01/2020
Judgment/Order uploaded on	03/01/2020