

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

SUIT NO.670 OF 1987

Union of India)....Plaintiff
V/s.

M/s.Textile Processors (P) Ltd. (In Voluntary Liqn.)....Defendants

Mr.S.R.Rajguru a/w Mr.Y.S.Bhate for plaintiff.

Mr.Priyahas Jani a/w Ms.Ashwini Mahadik I/by M/s.Vigil Juris for defendant no.2.

Ms.Aditi Singh I/by M/s.Shah & Sanghavi for defendant no.12.

CORAM : K.R.SHRIRAM,J

DATE : 12.10.2018

P.C.:-

1. Mr.Rajguru appearing for plaintiff states that all defendants have been served. I accept and rely on this statement made by Mr.Rajguru. Mr.Bhate who is assisting Mr.Rajguru also confirms this statement. Only defendant nos.2 & 12 seem to have filed written statement. The suit against rest of the defendants shall proceed as undefended suit and be placed before the appropriate court.

2. So far as defendant nos.2 & 12 are concerned, I am informed by Mr.Rajguru that issues are yet to be framed. The suit is of the year 1987. 31 years have passed and therefore, parties, particularly plaintiff, which is Union of India has to show some sense

of urgency. It does not appear that any affidavit of documents have also been filed by plaintiff or defendant nos.2 & 12.

3. As last chance, time to file affidavit of documents granted upto and including 19.10.2018. Inspection to be given and statement of admission and denial with reasons for denial to be exchanged by 25.10.2018 and the suit be listed on 29.10.2018 for issues.

4. If these directions are not strictly complied with, the parties will not be allowed to rely on any documents apart from those, copies which are annexed to the plaint and/or written statement or mentioned in the list of documents annexed to the plaint/written statement. On 29.10.2018 parties shall come with agreed draft issues and a separate list on which they are unable to agree.

5. No indulgence will be granted if these directions are not complied with and parties will be saddled with substantial costs. If plaintiff is at fault, plaintiff also runs a risk of getting suit dismissed for want of prosecution.

Stand over to 29.10.2018.

(K.R.SHRIRAM,J)