Before : Sachin B. Bhansali,
Prothonotary & Senior Master
Date : 02nd May, 2024

FOR DIRECTION :

13	S/573/2023 with connected matters	)	Mr. Vipul Makwana i/b. Yatin Shah, Advocate for the plaintiff.
		)	Ms. Trishi Pant i/b. Keystone Partners, Advocate for defendant nos. 1 and 2.
		)	Mr. Shabbir Jariwala i/b. I/b. Jariwala Associates, Advocate for defendant no. 3.
		) P.C. :	Written Statement of defendant nos. 1 and 2 is on record. Subject to compliance of office objections, if any, on the Written Statement, suit against defendant nos. 1 and 2 is transferred to the list of Long Causes.
		)	Perused Affidavit of Service dated 02.04.2024, filed on 04.04.2024. The remarks of the Master (Adm) of Suit Board Department shows that defendant nos. 1, 5, 10, 11, 12 and 15 have duly been served with Writ of Summons on 12.03.2024; defendant nos. 2, 7, 14, 19 and 27 have duly been served with Writ of Summons on 05.03.2024; defendant nos. 3, 4, 6, 28, 32, 33 and 34 have duly been served with Writ of Summons on 22.02.2024; defendant no. 20 has duly been served with Writ of Summons on 29.02.2024; defendant nos. 21 to 23 have been served with Writ of Summons on 27.02.2024; defendant nos. 29 has duly been served with Writ of Summons on 28.02.2024 and defendant no. 31 has duly been served with Writ of Summons on 23.02.2024.
		)	The remark further shows that defendant nos. 8, 9, 13 and 16 have unclaimed the postal articles, containing Writ of Summons. Whereas, defendant nos. 17, 18, 24 to 26 and 30 have not been served with Writ of Summons.

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contd….
S/573/2023
with
connected matters

In view of Order dated 07.12.2022 passed by the Hon'ble Court in Suit No. 168/2022 (Forest Realty Vs. Taksha Spaces Pvt. Ltd. & Ors.), "Unclaimed" is a good service. In view thereof, I am satisfied that defendant nos. 8, 9, 13 and 16 have duly been served with Writ of Summons in the present suit.

In view thereof, served defendant nos. 3 to 16, 19 to 23, 27 to 29 and 31 to 34 to file written statement within stipulated period as provided under Order VIII Rule 1 of C.P.C., failing suit against these defendants will be transferred to the list of Undefended Suits.

The plaintiff to take steps to serve unserved defendant nos. 17, 18, 24 to 26 and 30 with Writ of Summons under O.S.Rule 445 and file affidavit of service till next date, failing suit against these defendants will be dismissed for non-compliance of O.S.Rule 87. Office to issue fresh Writ of Summons, if required. The plaintiff to comply directions issued, vide Practice Note 60A.

Stand over to 27.06.2024.

Date : 02.05.2024

Prothonotary and Senior Master

RAJEEV VIJAY ACHARYA

Digitally signed by RAJEEV VIJAY ACHARYA
Date: 2024.05.04 10:53:23 +0530