

Before : Anil H. Laddhad
Prothonotary and Senior Master

Date : 29th September, 2025

FOR DIRECTIONS :

5. S/521/2023) Mr. Dilip Satale, Advocate for Plaintiff
with connected matters)
) Mr. Hassan Mushabber i/b. M/s. Negandhi Shah
) & Himaytullah, Advocate for Defendant Nos. 1 to
) 7, 10, 11
)
) Mr. Hrishikesh Joshi i/b. M/s. Maniar Srivastava
) Associates, Advocate for Defendant Nos. 8 and 9
)
) Mr. Rohit Gaikwad i/b. Ms. Komal Punjabi,
) Advocate for Defendant (BMC)
)
)
) P.C. : In the present matter, Suit against
) **Defendant Nos. 6, 7, 9, 11 to 14** are already
) transferred to the list of **Undefended Suit**.
)
) In spite of specific directions given on 08.09.2025,
) Plaintiff failed to serve Writ of Summons upon
) Advocates for Defendant Nos. 1 to 4, 8 and 10.
)
) Ld. Advocate for Defendant Nos. 1 to 7, 10 and 11
) made a statement that they have not received
) Writ of Summons on behalf of these Defendants,
) as per Order dated 08.09.2025. Statement is
) accepted.
)
) Ld. Advocate for Plaintiff made a statement that
) when an attempt was made to serve Defendant
) Nos. 1 to 4, 8 and 10, postal article returned with
) remark "shifted at another address". He further
) made a statement that new addresses of these
) Defendants are mentioned by the Bailiff on his
) Report. Statements are accepted. Ld. Advocate
) for Plaintiff seeks time to serve Defendant Nos. 1
) to 7, 10 and 11.
)
) Time is granted to serve Defendant Nos. 1 to 7, 10
) and 11, **subject to payment of cost of Rs. 5,000/-**

.... Continued

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) to 'The High Court Employees Medical Welfare
) Fund at Mumbai' - Bank of India Mumbai (Main)
) Branch, Account No. 000120110001337, IFSC
) Code : BKID0000001. Upon payment of cost,
) Plaintiff to take steps to serve Defendant Nos. 1
) to 4, 8 and 10 on their new addresses provided by
) Bailiff and / or their Advocates with Writ of
) Summons, by all modes of services, as per Rules
) and file Affidavit of service to that effect on or
) before 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. Plaintiff to comply with
) directions issued vide Practice Note No. 60-A.
)
) In spite of specific directions, Plaintiff failed to
) remove office objections on Interim Application
) (L) No. 5403 of 2022. Ld. Advocate for Plaintiff
) requests for time. On his request, time is granted
) to remove office objections on Interim
) Application (L) No. 5403 of 2022, **subject to**
) **payment of cost of Rs. 5,000/-** to 'The High
) Court Employees Medical Welfare Fund at
) Mumbai' - Bank of India Mumbai (Main) Branch,
) Account No. 000120110001337, IFSC Code :
) BKID0000001. Upon payment of cost as stated
) above, Applicant to remove office objections in
) the **Interim Application (L) No. 5403 of 2022**
) and get the same registered and / or numbered
) within **two weeks**, failing Interim Application to
) stand rejected for non-removal of office objections
) under O.S. Rule 986.
)
) Stand over to 13.10.2025.

Date : 29.09.2025

Prothonotary & Senior Master