

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

SUIT NO. 1862 OF 2002

Ram Salve, Proprietor of
M/s. Ganesh Container Movers Syndicate Plaintiff
 V/s.
M/s. Mitsui O.S.K. Lines Ltd. and ors. Defendants

Ms. Kainaz Irani i/b. Mr. K.K. Sonawane for the Plaintiff.
Mr. Zubin Behram Kamdin and Mr. Parikshit Barpujari and
Mr. J. Lalkaka i/b. Mulla and Mulla for Defendant Nos. 1 and 2.

**CORAM : B.P. COLABAWALLA, J.
DATED : 13th MARCH, 2020**

P.C. :-

1. The above suit was placed for arguments on 18/10/2016. Thereafter, when the matter reached on 19/11/2018, on request of the learned Advocate for the Plaintiff, it was stood over to 12/12/2018. Thereafter, the matter again came up on 08/01/2020 when once again a request was made on behalf of the learned Advocate for the Plaintiff for adjourning the suit. This Court therefore recorded that by way of a final indulgence, the matter was stood over for arguments on 12/02/2020. Thereafter, on 12/02/2020, the learned Advocate appearing on behalf of the Plaintiff once again asked for an adjournment and which was granted and the matter was kept yesterday i.e., 12/03/2020. Yesterday, when the matter was called

out, Mr. K.K. Sonawane, the learned Advocate appearing on behalf of the Plaintiff informed the Court that he was ready to argue the matter but he had instructions to engage a counsel in the matter. Since he stated that he was ready with the matter, I asked him to start the arguments. However, when he started with the matter, it was evident that he was thoroughly unprepared. It was in these circumstances that I kept the matter today and called the Plaintiff so that the Plaintiff is made aware how this matter is being conducted by this Advocate. Today, when the matter is called out, Ms. Kainaz Irani appears as a counsel for the Plaintiff and seeks further two weeks time to argue this matter stating that her senior will be arguing this matter.

2. I think enough indulgence has been shown to the Advocates for the Plaintiff to argue this suit and which is pending in this Court for the last 18 years. In these circumstances, list the Suit for arguments on **19/03/2020** on the 'Supplementary Board'. It is made clear that if the Plaintiff is not ready to argue the matter on the said date, the suit shall be dismissed for want of prosecution.

(B.P. COLABAWALLA, J.)