

**CALLED FOR WRITTEN STATEMENT :-**

42	S/624/2016	)	Varada B., i/b. Wadia Gandhi & Co., Advocate for
	WITH	)	Plaintiffs
	NMS/1857/2016	)	
	S/624/2016	)	Arvind Srivastava a/w. Krishna Pandya, i/b. Kalpesh
	WITH	)	Joshi Associates, Advocate for Respondent No. 2 &
	CHSL/1001/2017	)	10
	S/624/2016	)	
		)	Satchit Bhogle, i/b. Hariani and Co., Advocate for
	<b>(NO R &amp; P)</b>	)	Defendant Nos. 1, 5 & 9
		)	
		)	Sadanand Muttanna Kamtam, Advocate for
		)	Defendant Nos. 11 and 12
		)	
		)	Nazia S. A. Shaikh, i/b. V. V. Thorat, Advocate for
		)	Defendant No. 13
		)	
		)	<b><u>P.C.:</u></b> Written Statement on behalf of Defendant Nos. 2, 5,
		)	9 and 10 is taken on file. Suit against Defendant
		)	Nos. 2, 5, 9 and 10 is transferred to the list of Long
		)	Causes. Affidavit of documents to be filed within 8
		)	weeks. U.O.D.I..
		)	
		)	Pursuant to the order dated 19.06.2017, Defendant
		)	Nos. 11 and 12 directed to file Written Statement,
		)	subject to the payment of cost of Rs. 2000/-, which
		)	is condition precedent, to be paid to the
		)	Maharashtra State Legal Services Authority within
		)	two weeks from the date of order, failing Suit
		)	against Defendant Nos. 11 and 12 will be transferred
		)	to the list of undefended Suits. Despite that,
		)	neither cost paid by the Defendant Nos. 11 and 12
		)	nor Written Statement's filed

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42 S/624/2016  
 WITH  
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 WITH  
 CHSL/1001/2017  
 S/624/2016

**(NO R & P)**

The Ld. Advocate for Defendant Nos. 11 and 12 applies time to file Written Statement, for which the Ld. Advocate for Plaintiffs objected.

However, in the interest of justice, by way of last chance, time is granted to the Defendant Nos. 11 and 12 to file Written Statement, subject to payment of cost of Rs.3000/-, which is condition precedent, to be paid to the Plaintiffs and as per earlier order dated 19.06.2017 Rs. 2000/- to be paid to the Maharashtra State Legal Services Authority during the course of day, failing Suit against Defendant Nos. 11 and 12 will be transferred to the list of Undefended Suits. However, delay is condoned for the payment of cost of Rs. 2000/- to the Maharashtra State Legal Services Authority.

In view thereof, Plaintiffs to again take steps to serve with Writ of Summons upon unserved Defendants and to file Affidavit of service to that effect on or before 14.12.2017, failing Suit against unserved Defendants will be dismissed for non-compliance of O.S. Rule 87. Office to issue fresh Writ of Summons, if required. The returnable dated is extended till 14.12.2014.

**Date : 06.09.2017**

**Prothonotary & Senior Master**

