

Before: Shri D.V. Sawant
Prothonotary & Senior Master.
Date: 1st December, 2016

CALLED OUT FOR DIRECTION:

8. S/675/2015) Plaintiffs and/or their Advocates are absent.
with) Mr. M.P. Jadhav, AGP, Advocate for Defendant Nos. 2
CHS/8/2016) to 5.
S/675/2015)
) **P.C.:** On last occasion, when matter appeared on
) board, Conditional Order was passed, directing
) Defendant Nos. 1 to 5 to file Written Statement till
) today, failing Suit against Defendant Nos. 1 to 5 will
) be transferred to the list of Undefended Suits.
)
) Despite that, neither Defendant No. 1 is present nor
) filed Written Statement. In view thereof, Suit against
) Defendant No. 1 is transferred to the list of
) Undefended Suits.
)
) Today, the Ld. Advocate for Defendant Nos. 2 to 5
) applies time to file Written Statement on the ground
) that draft is under finalization. In view thereof, by
) way of last chance, time is granted to Defendant Nos.
) 2 to 5 to file Written Statement till 24.01.2017, failing
) Suit against Defendant Nos. 2 to 5 will be transferred
) to the list of Undefended Suits.
)
) **Later on at 3.00 p.m.,**
) Ms. Padmavathi Chettiar, i/b. M.V. Kini & Co.,
) Advocates for Defendant No. 1 and Ms. Ulka
) Saranjame, Advocate for the Plaintiff is present before
) me.
)
) The Ld. Advocate for Defendant No. 1 prays for
) setting aside earlier order passed in morning session
) transferring Suit against Defendant No. 1 to the list of
) Undefended Suit. The Ld. Advocate for the Plaintiff
) vehemently objected for granting time to Defendant
) No. 1 to file Written Statement, so also, for Defendant
) Nos. 2 to 5 and pressed for cost. However, time is
) already granted to Defendant Nos. 2 to 5 to file
) Written Statement in morning session, when Plaintiff
) was absent.

**Before: Shri D.V. Sawant
Prothonotary & Senior Master.
Date: 1st December, 2016**

Contd...

8. S/675/2015
with
CHS/8/2016
S/675/2015

-) In view thereof, in the interest of justice, the earlier
-) order passed in morning session transferring Suit
-) against Defendant No. 1 to the list of Undefended
-) Suit, is set aside. Time is granted to Defendant No. 1
-) to file Written Statement, subject to payment of cost of
-) Rs. 2,000/-, which is condition precedent, to be paid to
-) the Plaintiff within two weeks from today, failing Suit
-) against Defendant No. 1 will be transferred to the list
-) of Undefended Suits. If cost is paid, time is granted to
-) Defendant No. 1 to file Written Statement till
-) 24.01.2017, failing Suit against Defendant No. 1 will
-) be transferred to the list of Undefended Suits.

01.12.2016

Prothonotary and Senior Master