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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
COMMERCIAL SUIT NO. 46 OF 2014**

National Bank for Agriculture ... Plaintiff  
and Rural Development

Vs.

Saral Enterprises and Others ... Defendants

Mr. S. P. Bharti for the Plaintiff.

Mr. Gobinda C. Mohanty i/b. M/s. Mohanty & Associates for  
Defendant Nos. 1, 2A and 2B.

Mr. Noorain Patel i/b. M/s. Diamondwala & Co. for Defendant  
no. 3.

Ms. Pooja Yadav (through VC) for Defendant No. 5.

Mr. Vikrant Parshurami, AGP for the State – Defendant No. 6.

RAJESHWARI  
RAMESH  
PILLAI

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by RAJESHWARI  
RAMESH PILLAI  
Date: 2026.03.18  
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**CORAM : GAURI GODSE, J.**

**DATE : 16<sup>th</sup> MARCH 2026**

**ORDER :**

1. Learned counsel for the plaintiff has tendered a copy of service affidavit dated 13<sup>th</sup> March 2026 by the bailiff clerk and the authorised representative of the plaintiff. Service affidavit is taken on record. Service affidavit states that writ of summons is served personally upon defendant no.4. The acknowledgment on behalf of the society is taken on copy of

the writ of summons. The acknowledgment is seen by way of rubber stamp of the society acknowledged by one Mr. Vinod Parab. The service affidavit states that writ of summons is accepted by staff of defendant no. 4 -society. Despite service none appear for defendant no.4.

2. The writ of summons annexed to the service affidavit shows the returnable date as 16<sup>th</sup> March 2026. Despite service none appears for defendant no. 4. The suit shall proceed ex-parte against defendant no. 4.

3. Defendant nos. 1, 2A, 2B, 3 and 6 are represented through Advocates. Defendant nos. 2A and 2B, 3 and 6 have filed written statement.

4. Learned counsel for defendant nos. 1, 2A and 2B submits that in the first paragraph of the written statement it is stated that written statement is filed on behalf of defendant nos. 1, 2A and 2B.

5. Defendant nos. 3 and 6 are represented through Advocate. As per office report written statement is filed on their behalf.

6. Learned counsel for defendant no. 5 submits that in

order dated 27<sup>th</sup> January 2022 statement on behalf of defendant no. 5 is already recorded that there is no occasion for the corporation to file written statement. Hence, the corporation does not want to file written statement. The suit shall therefore proceed without written statement against defendant no. 5.

7. Learned counsel for the respective parties shall file their respective list of documents that would be relied upon by them and are referred to in the plaint and written statement. The respective parties shall serve copy of their list of documents within four weeks.

8. Stand over to 4<sup>th</sup> May 2026.

9. Parties are at liberty to complete inspection of the documents before the next date.

**[GAURI GODSE, J.]**