

Before : Shri D.V. Sawant.
Prothonotary & Senior Master.

Date : 16th March, 2017.

FOR DIRECTION:

17 S/955/2014) Mr. Dilip Kumar Mishra I/b. S. P. Bharti, Advocate
) for the Plaintiff.
)
) Mr. Amit Shah, AGP, Advocate for the Defendant
) No. 6.
)
) **PC:** Office has scrutinized aforesaid Suit and reported
) that Suit pertains to Commercial Dispute valued
) for the purpose of court fees and jurisdiction of
) more than Rs. 124.50 crores, which is also
) confirmed by Advocates for parties. In view
) thereof, Office to convert aforesaid Suit as
) Commercial Suit and update CMIS programme
) accordingly.
)
)
) As per order dated 16th September, 2015 and 14th
) October, 2015, suit against Defendant Nos. 3 and
) 6 was transferred to the list of Long Causes, to be
) read as *“Suit against Defendant Nos. 3 and 6 is*
) *transferred to the list of Commercial Causes, to be*
) *heard by Commercial Division”*.
)
)
) Advocate for the Plaintiff submits that Defendant
) Nos. 4 and 5 are served and Affidavit of Service is
) filed. However, Affidavit of Service is not on
) record.
)

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17 Contd.....)
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) In view thereof, if the Defendant Nos. 4 and 5 are
) served, Defendant Nos. 4 and 5 to file written
) statement till 19th April, 2017, failing suit against
) Defendant Nos. 4 and 5 will be transferred to the
) list of Undefended Suits and if, Defendant Nos. 4
) and 5 are not served, Plaintiff to take step to serve
) Defendant Nos. 4 and 5 with writ of summons,
) failing Suit against Defendant Nos. 4 and 5 will be
) dismissed for non-compliance of O.S. Rule 87.
) Office to issue fresh writ of summons, if required
) and list the matter on board one week well in
) advance. The returnable date is extended till 19th
) April, 2017.
)

16/03/2017

Prothonotary & Senior Master