

**Before: Aniruddha M. Chandekar
Prothonotary & Senior Master.
Date: 14th January, 2019**

CALLED OUT FOR DIRECTION :

121. S/2335/2012) None present.
with)
CHS/39/2019) **P.C.:** It appears that Plaintiffs failed to
S/2335/2012) comply with direction dated 16.10.2018. In
) view thereof, Suit against unserved Defendant
) No. 4 is dismissed for non-compliance of O.S.
) Rule 87. No order as to costs.
)
) Record reveals that Defendant No. 6 failed to
) file Written Statement. In view thereof, the
) matter be kept on 12.03.2019 for further
) directions.

14-01-2019

Prothonotary and Senior Master

) Later on, Ms. Mallika Taly, i/b. S.
) Mahomedbhai, Advocate for the Plaintiffs
) remain present and seeks time to serve Writ of
) Summons upon Defendant No. 4.
)
) In view thereof, direction passed in morning
) session dismissing Suit against Defendant No.
) 4 is recalled. Time is granted to the Plaintiffs
) to serve Writ of Summons upon Defendant
) No. 4 under 445 of O.S. Rules through Sheriff
) of Mumbai and to file Affidavit of Service till
) 12.03.2019, failing Suit against unserved
) Defendant No. 4 will be dismissed for non-
) compliance of O.S. Rule 87. Office to issue
) fresh Writ of Summons, if required. The
) returnable date is extended till 12.03.2019.

14-01-2019

Prothonotary and Senior Master