

JYOTI S BIDYE Digitally signed by JYOTI S BIDYE Date: 2023.02.28 10:21:05 +0530

Before : Sachin B. Bhansali  
Prothonotary and Senior Master

Date : 24<sup>th</sup> February, 2023

**FOR DIRECTION :**

3. S/4/2019 ) Mr. V.J. Bhanushali, Advocate for the Plaintiff.  
)  
) None present for the Defendants.  
)  
) **PC.:** Affidavit of Service dated 26.03.2019 shows that  
) Defendant Nos. 8, 9 and 11 to 15 are duly served with writ  
) of summons and when attempt was made to serve  
) Defendant Nos. 1 to 7 and 11, packets returned back with  
) postal remark “Not Known” and “Unclaimed” respectively.  
)  
) Affidavit of Service dated 19.12.2020 shows that Plaintiff  
) served writ of summons upon Advocate for Defendant Nos.  
) 1 to 7 and Defendant No. 11 by hand delivery. Another  
) Affidavit of Service dated 19.12.2020 shows that Defendant  
) No. 10 is served with writ of summons.  
)  
) By directions dated 10.02.2020, the matter was adjourned  
) to 30.03.2020 for passing order of undefended suits against  
) Defendant Nos. 8, 9 and 12 to 15. Despite service of writ  
) of summons, till date, no Written Statement is filed by  
) Defendant Nos. 8, 9, 10 and 12 to 15. Even after excluding  
) the period of pandemic, prescribed time to file Written  
) Statement has expired. Hence, Suit against Defendant Nos.  
) 8, 9, 10 and 12 to 15 is transferred to the list of  
) Undefended Suits.  
)  
) It appears that there is a change of Advocates and  
) therefore, for abundant caution, it is appropriate to serve  
) Defendant Nos. 1 to 7 and 11 with writ of summons.  
) Hence, Plaintiff to take steps to serve Defendant Nos. 1 to 7  
) and 11 with writ of summons and to file affidavit of service  
) to that effect. Plaintiff to comply with directions issued  
) vide Practice Note No. 60A.  
)  
) Stand over to 27.03.2023.