

IN THE COURT OF SMALL CAUSES, AT MUMBAI

Order Below Exh. 41
IN
R.A.E. SUIT NO. 807 /1245 of 2009

Smt.Kshama H.Mehta,& Ors., Plaintiffs
Versus
Saudagar G.Naik, Defendant
AND
Trishla A.Shah, Respondents[Prop.Plaintiff No.3]

Shri.N.H.Matani : Advocate for the Plaintiffs
Shri.D.Thakre : Advocate for the Defendant

Coram : Shri. J. K.Joshi,
Judge,
Court Room No.14,
Date: 20.03.2017

:ORDER:

1. The plaintiffs pray to remove the matter from 'Order' caption by mentioning that nobody was present from the plaintiffs' side on 06.02.2017 to file and furnish the copy of the amended plaint in the Court and now they are filing the copy of the amended plaint. Thus, submit to remove the matter from "Order caption.

2. The defendant resisted the prayer by mentioning that no reason has given for non-complying the order. Thus, submit to dismiss the application.

3. Heard Ld.Advocate for the defendant. Perused the proceedings

4. Considering the nature of the suit, amendment carried out and the matter adjourned for filing copy of the amended plaint together with absence of the plaintiffs' side on fixed date, to adjudicate the matter on merits and not to penalize on the technical ground, the matter is remove from "Order' caption and the plaintiffs are permitted to file copy of the amended plaint on record. With this application is allowed.

(J. K.Joshi,)
Judge,
Court Room No. 14,
Date: 20.03.2017

Order dictated on	:	20.03.2017
Order typed on	:	20.03.2017
Order checked	:	20.03.2017
Printed on	:	20.03.2017

Typed by Ms. S S Pednekar