

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO. 872 OF 2008

Surendrasingh M. Gujra ...Plaintiff  
vs.  
Dilip @ Delip S. Buchade ...Defendant

Mr.Ramesh Jain for the Plaintiff.  
None for the Defendant.

CORAM : V.M. KANADE, J.

DATED : AUGUST 30, 2008

P.C. :-

1. Heard Counsel for the plaintiff.

2. He has filed affidavit of service dated 6th June, 2008. Sheriff's office has made an endorsement that the writ of summons alongwith the plaint was served on the defendant and the defendant has given his acknowledgement of service of the original writ of summons.

3. The plaintiff has also tendered the original documents. They are taken on record and marked Exhibit A(colly). The plaintiff has filed a suit under Order XXXVII. It is stated that the defendant executed two Demand Promissory Notes in favour of the plaintiff.

Though the demand was made by the plaintiff for the said amount, the defendant has declined to make the said payment. The plaintiff's suit is decreed. The defendant is directed to pay the sum of Rs.1,24,423.28ps. with interest on the amount of Rs.1,00,000/- from the date of the filing of the suit till payment or realisation at the rate of 15% p.a. alongwith costs of the suit. Refund of Court fees as per Rules is permitted.

4. Suit, accordingly, is disposed of.

(V.M. KANADE, J.)