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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO. 601 OF 2014  
IN  
SUIT NO.270 OF 2014**

Hansraj Nayyar Medical India	...Applicant/Plaintiff
VS	
Smiths Medical International Ltd. & Anr.	...Defendants

.....  
None for the Plaintiff.  
Dr Virendra Tulzapurkar Sr Advocate with Mr Peshwan Jehangir & Mr Raj  
Panchmatia i/b M/s Khaitan & Co. for the Defendants  
.....

**CORAM : S.C. GUPTE, J.**

**SEPTEMBER 30, 2014**

**P.C. :**

This Notice of Motion is taken out by the Plaintiff/ Applicant *inter alia* for a restraint order against Defendant Nos.1 and 2, in respect of sale of goods, appointment of distributor / agent and also for other reliefs. The Plaintiff has prayed for specific performance of an oral agreement between the parties for creating of an exclusive carrying and forwarding agency in favour of the Plaintiff. On the last occasion, i.e. on 11 September 2014, none appeared for the parties. As a last chance, the Motion was adjourned to 30 September 2014. It was made clear that no adjournment would be granted on that date. Today, when the matter is called out, none appears for the Plaintiff. Notice of Motion is dismissed for want of prosecution. There shall be no order as to costs.

**( S.C.GUPTE J. )**