

Third Party Notice Re Question or Issue. (Rule 108)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. OF 19

..... PLAINTIFF

versus

..... DEFENDANT.

To,

Mr. X.Y.

Take notice that this suit has been brought by the plaintiff against the defendant (here state concisely the nature of the plaintiff's claim).

The defendant claims that the following question or issue, viz. (here state concisely the question or issue to be determined) should be determined not only as between the plaintiff and the defendant but also as between either or both of them and yourself.

And take notice that if you wish to be heard on the said question or issue or to dispute the defendant's liability to the plaintiff or your liability to the defendant, you must enter an appearance in person or a Vakalatnama within two weeks from the service of this notice, and file within two weeks thereafter an affidavit in reply to the affidavit of the defendant dated ..... in support of the third party notice, setting out briefly your case with regard to the third party notice as well as your case, if any, with regard to the plaint.

And whereas the suit will be placed for directions on the board of the Judge in Chambers on the ..... day of ..... 19

You are hereby required to appear before the Judge in Chambers on the said ..... day of ..... 19 at 11 O'clock in the forenoon either in person or by an Advocate entitled to practice in this Court duly instructed and able to answer all material questions relating to the suit and/or the third party notice; and

Take notice that on the day aforementioned after hearing parties who appear directions will be given by the Judge as to the date of trial and other matters concerning the suit and the third party notice:

And take notice that if you fail to enter an appearance in person or a vakalatnama and to file an affidavit in reply as hereinbefore stated or to appear before the Judge on the day aforementioned, you will be bound by any judgment or decision given in the suit, whether by consent or otherwise, in so far as it is relevant to any question or issue stated in this notice and the Court may pass against you such decree as the nature of the case may require.

Prothonotary and Senior Master.

Advocate for the Defendant.