

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2489 OF 2014

IN

WRIT PETITION NO.9071 OF 2011

M/s. Earth Builders)... Applicants

IN THE MATTER BETWEEN

Aruna Vimalkumar Garg & Anr.)... Petitioners

Vs.

Dani Sadan Co-operative Hsg.Society Ltd.)... Respondent

WITH

CIVIL APPLICATION NO.2490 OF 2014

IN

WRIT PETITION NO.9072 OF 2011

M/s.Earth Builders)...Applicant

IN THE MATTER BETWEEN

Aruna Vimalkumar Garg & Anr.)...Petitioners

Vs.

Dani Sadan Co-operative Hsg.Society Ltd.)...Respondent

Ms.Sutapa Saha for applicants.

Mr.Hiren Mehta for petitioner.

None for respondents.

CORAM: K.R.SHRIRAM, J.**DATED : 20.01.2015.**

P.C. :

1 The applicants pray for leave to be appointed as petitioners in lieu and place of the original petitioner and for consequential amendment therein. The respondents have filed an affidavit in reply.

2 The counsel for the respondents however, states that they have no objection if the Civil Applications are allowed subject to the rights and contentions of the respondents in other connected proceedings in different forums be also kept open.

3 In view of the above, keeping open the rights and contentions of the respondents in all the proceedings in all the forums, both the Civil Applications are allowed.

4 At present Civil Applications are allowed only to the extent of substituting the name of the petitioner with the applicant. At this stage, counsel for the petitioner tenders draft amendment to the petition which is taken on record and marked "X" for identification.

5 Amendment is allowed as per the draft amendment which is taken on record and marked 'X' for identification. Amendment to be carried out on or before 31.1.2015 and a copy of the amended petition to be served on or before 7.2.2015.

The matter to come up in due course.

(K.R.SHRIRAM, J.)