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

**CHAMBER SUMMONS NO. 99 OF 2015
IN
SUIT NO. 1416 OF 2010**

Mount Mary Enterprises

...Applicant/Plaintiff

In the matter between:

Mount Mary Enterprises

...Plaintiff

Vs.

Authorized Officer, Bank of Baroda & Ors.

...Defendants

And

Shantilal Dungarshi Maru

...Proposed Defdt.No.6

Ms. Yasmin E. Tavaría for the Plaintiff

Mr. Gargee Ankola i/b. Vikas Singh for Respondent No.2

Mr. Prafull Sahi i/b. Lambay & Co., for Respondent Nos. 3 & 4

Mr. A.M. Khandekar i/b. Tamhane & Co., for Defendant No.5

and for Respondents

CORAM : MRS. ROSHAN DALVI, J.

DATED : 20TH APRIL, 2015

P.C. :

1. The respondent is sought to be brought on record as defendant No.6. The respondent has also no objection.
2. The chamber summons to that extent has to be allowed. The further chamber summons is for addition of certain averments in the plaint which arise consequent upon the respondent being brought on record as the defendant and for

matters which were brought to the notice of the plaintiff pending the suit. Hence the chamber summons is allowed as prayed.

3. The plaintiff shall carry out the amendments in the plaint within 2 weeks. The plaintiff shall also carry out amendments in the copy of the plaint served upon the defendants within 2 weeks.
4. The plaintiff shall serve the amended copy of the plaint upon the respondent who would be defendant No.6. Advocate for the respondent waives service of the amended writ of summons.
5. All the defendants shall be entitled to file their written statements / additional written statements within 30 days of the service of the amended plaint or within 30 days of the plaintiff carrying out amendments in their copies of the plaint.
6. Defendant No.4 has expired. Her heirs are already on record. An entry of deletion of defendant No.4 is, therefore, made.
7. Chamber summons is disposed off accordingly.

(ROSHAN DALVI, J.)