

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 331 OF 2015
IN
SUIT NO. 160 OF 2015

Neela Vilas Shinde	...Plaintiff
<i>Versus</i>	
Geeta Patel D'Souza & Ors.	...Defendants

Mr. K.T. Kukreja, *with Mr. Dhishan Kukreja, Mrs. Bhumika Patel & Mr. Arvind Manghirmalani, for the Plaintiff.*
Mr. Rajiv Kumar, Senior Advocate, *with Ms. Sheetal Kumar, Mr. Abhishek Khare, i/b M/s. Khare Legal, for Defendants Nos. 1 and 2.*
Mr. C.K. Rajan, *for Defendants Nos. 3 and 4.*

CORAM: G.S. PATEL, J
DATED: 7th August 2015

PC:-

1. Heard Mr. Kukreja, learned Advocate for the Plaintiff, and Mr. Kumar, learned Senior Counsel for Defendants Nos. 1 and 2.

2. This is the Plaintiff's Chamber Summons for amendment to the plaint. The proposed amendments are set out in the Schedule to the Chamber Summons.

3. In addition, Mr. Kukreja states that he is deleting Defendants Nos. 3 and 4 as party-Defendants to the Suit because they have categorically made a statement that they are not in possession of the premises in question nor have they had any hand in dispossessing the Plaintiff.

4. Leave to amendment in terms of the Schedule to the Chamber Summons and to delete these two parties in the cause title of the Suit, as also to make necessary consequential amendments in that behalf.

5. Amendment to be carried out on or before 10th August 2015. All concerned to act on an authenticated copy of this order.

6. An amended copy of the plaint is to be served on the Advocates for Defendants Nos. 1 and 2, as also on present Defendant No. 5, Ms. Vrushali Zagde.

7. Additional written statement by Defendants Nos. 1 and 2 to be filed and served on or before 21st August 2015. Defendant No. 5 has not yet filed a written statement. She will have till 21st August 2015 to do so. The written statement on behalf of Defendant No. 5 is not to be accepted after that date without leave of the Court and without sufficient cause being made out.

8. The Chamber Summons is disposed of in these terms with no order as to costs.

9. Since Defendants Nos. 1 and 2 have filed their written statement, it is agreed that it is possible to take up the Suit for framing issues at least as between the Plaintiff and Defendants Nos. 1 and 2. A separate order is made in the suit in that regard.

(G. S. PATEL, J.)