

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.517 OF 2014
IN
SUIT NO.181 OF 2011

M/s Arch Shelters Pvt. Ltd. Applicant

In the matter of

M/s Arch Shelters Pvt. Ltd. Plaintiff

Vs.

Jaideep Jawahir Kapadia Defendant

Mr. Chirag Modi alongwith Mr. Abhay Jadeja i/by Crawford Bayley & Co. for the Applicant/Original Plaintiff.

Mr. Nitin Thakkar, Senior Counsel alongwith Mr. Mudit Gupta i/by Siddharth Mehta for defendants no. 1(a), 2, 3, 5, and 6.

Mr. Amit Potnis, Advocate for defendant no.4.

Mr. Mehul Shah alongwith Mr. Samir Kapadia for defendants no.7 to 9.

Mr. Vaibhav Sugdare i/by Bagkar & Co. for Intervenor.

Coram : **Smt. R.P. SondurBaldota, J.**

Date : 8th September, 2015

P.C. :

1 This Chamber Summons is taken out by the plaintiff to amend the plaint in order to place on record the subsequent

events and seek relief depending upon the subsequent events. Since the occurrence of subsequent events is not disputed by the defendants, the Chamber Summons can be allowed. Hence, the Chamber Summons is allowed in terms of prayers clause (a) and (b). The plaintiff shall amend the plaint within a period of two weeks from today and serve the amended copy of the plaint upon the defendants within one week thereafter. The defendants shall file their written statement within two weeks after service of the amended plaint upon them. As regards defendant no.1-A, since his written statement is already on record, he is at liberty to file additional written statement to the amended plaint.

(Smt. R.P. SondurBaldota, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.1291 OF 2015
IN
SUIT NO.181 OF 2011

Atul Kapadia Applicant

In the matter between

Arch Shelters Pvt. Ltd. Plaintiff

Vs.

Jaideep Jawahir Kapadia Defendant

Mr. Amit Potnis, Advocate for the Applicant (original defendant no.4).

Mr. Chirag Modi alongwith Mr. Abhay Jadeja i/by Crawford Bayley & Co. for Plaintiff.

Mr. Nitin Thakkar, Senior Counsel alongwith Mr. Mudit Gupta i/by Siddharth Mehta for defendants no. 1(a), 2, 3, 5, and 6.

Mr. Mehul Shah alongwith Mr. Samir Kapadia for defendants no.7 to 9.

Mr. Vaibhav Sugdare i/by Bagkar & Co. for Intervenor.

Coram : **Smt. R.P. SondurBaldota, J.**

Date : 8th September, 2015

P.C. :

1 In view of fresh direction to the defendants to file their written statement, the Notice of Motion does not survive. The Notice of Motion is accordingly disposed off.

(Smt. R.P. SondurBaldota, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.654 OF 2014

Jawahir Tricumdas Kapadia & Ors. Applicants
(ori. Defts no.
1,2,3,5 and 6)

In the matter between

Arch Shelters Pvt. Ltd. Plaintiff
Vs.
Jaideep Jawahir Kapadia & Ors. Defendants

Mr. Nitin Thakkar, Senior Counsel alongwith Mr. Mudit Gupta
i/by Siddharth Mehta for the Applicants (original defendants no.
1(a), 2, 3, 5, and 6.

Mr. Chirag Modi alongwith Mr. Abhay Jadeja i/by Crawford
Bayley & Co. for the Plaintiff.

Mr. Amit Potnis, Advocate for defendant no.4.

Mr. Mehul Shah alongwith Mr. Samir Kapadia for defendants
no.7 to 9.

Mr. Vaibhav Sugdare i/by Bagkar & Co. for Intervenor.

Coram : **Smt. R.P. SondurBaldota, J.**

Date : 8th September, 2015

P.C. :

1 Mr. Thakkar, the learned Senior Counsel seeks to
withdraw the Notice of Motion by stating that this Notice of

Motion is taken out on behalf of defendants no.1, 2, 3, 5 and 6 stating that the contentions taken on the merits of the suit taken by way of Notice of Motion will be taken up in the written statement, that would be filed in the suit. The Notice of Motion is therefore allowed to be withdrawn.

(Smt. R.P. SondurBaldota, J.)

Dusane

7/7

chs517.2014

CERTIFICATE

Certified to be true and correct copy of the original signed Order.