

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 690 OF 2014
IN
SUIT NO. 457 OF 2013

The Board of Trustees of the Port of Mumbai ... Applicant / Plaintiff

Versus

Madhya Pradesh Electricity Board and Ors. ... Defendants

And

State of Chattisgarh ... Respondent

Mr. Pinto i/b. Mulla and Mulla for the Applicant / Plaintiff.

Mr. R.J. Mane, AGP for Defendant Nos. 1 and 2.

Mr. Sanjay Udeshi for Defendant Nos. 4 and 5.

Ms. Simeen Shaikh a/w. Ms. Rashmi Patil i/b. S.K. Srivastav for Defendant No. 6.

CORAM : S.J. KATHAWALLA, J.

DATED : 14TH JULY, 2015

P.C.:

1. Perused the Chamber Summons and the Affidavit in support thereto. For the reasons set out in the Affidavit in support of the Chamber Summons, the Chamber Summons is allowed in terms of prayer clauses (a) and (b), which are reproduced hereunder :

*“(a) That the Plaintiffs be granted leave to amend the
Plaint and Proceedings in the above Suit in terms of the
Schedule annexed hereto ;*

(b) that the Plaintiffs be allowed to carry out all consequential amendments”.

2. Amendments to be carried out within a period of two weeks from today.

3. After the amendment, a copy of the amended Plaint forthwith shall be served on the newly added Defendants.

5. The learned Advocate appearing for Defendant Nos. 4 and 5 states that Defendant No. 3 – Madhya Pradesh State Electricity Board has been dissolved by Notification dated 26th April, 2012 and therefore they should not be continued as Defendant No. 3 in the above Suit. However, no orders can be passed by this Court in respect of deletion of Defendant No. 3 at the instance of the Advocate for Defendant Nos. 4 and 5 in the above Chamber Summons.

6. The Chamber Summons is accordingly disposed of.

(S.J. KATHAWALLA, J.)