

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

**CHAMBER SUMMONS NO. 1061 OF 2014
IN
SUIT NO. 3611 OF 2002**

Rang Sharda Hotels Pvt. Ltd.

.. Applicant

In the matter between :

Rang Sharda Hotels Pvt. Ltd.

.. Plaintiff

Vs.

K.G. Kapadia (HUF) & Ors.

.. Defendants

Ms.Aparna Murlidharan a/w. Mr.Aamir Ali Shaikh i/b Kanga & Co. for applicant/plaintiff.

Mr.Ramchandran N. i/b Narayanan & Narayanan for defendant nos.1 to 4.

Mr.Ajay Sethi for defendant no.6.

**CORAM : K.R.SHRIRAM, J.
DATED : 5TH JANUARY, 2015**

P.C.

1 This chamber summons is taken out on behalf of the applicant/plaintiff for leave to amend the plaint. The counsel for the plaintiff states that all the defendants except defendant no.5 are appearing. The counsel undertakes to file affidavit of service of defendant no.5 within one week from today. The counsel appearing for defendant no.1 to 4 and 6 states that they have no objection if the chamber summons is allowed subject to keeping their rights and contentions open.

2 Keeping the rights and contentions open, the chamber summons is allowed in terms of prayer clause (a). The counsel for the plaintiff also states that there is an error in the Schedule annexed to the chamber summons. In the Schedule in paragraph 6(B), sub-paragraphs (a), (b), (c) and (d), it is stated that “*I say*” whereas it should be “*the plaintiff states*”. The counsel seeks leave to amend the said sub-paragraphs. Leave to amend is granted. The plaintiff to amend the Schedule forthwith.

3 The plaintiff to carry out amendment to the plaint within two weeks from today and serve a copy of the amended plaint upon the defendants on or before 23rd January 2015. All the defendants except defendant no.5 have filed the written statements. Should defendant nos.1 to 4 and 6 wish to amend the existing written statement or file the additional written statement, the same to be completed within two weeks of receiving the amended plaint.

4 Stand over to 12th February 2015 for directions.

(K.R. SHRIRAM, J.)