

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

**CHAMBER SUMMONS NO.232 OF 2015
WITH
NOTICE OF MOTION NO.4309 OF 2009
IN
SUIT NO.3248 OF 2009**

Carat Holding & Trading Co. Pvt. Ltd.Applicant/Plaintiff

V/s.

K.M. Developers & Ors.Defendants

Ms. Ishita Bhagat i/b. M.D. Bhatt for the plaintiff.

Dr. Abhinav Chandrachud a/w. Mr. Shailendra Singh for the
defendant nos.1,2,4,5 and 6.

CORAM : K.R.SHRIRAM,J

DATE : 9th JUNE, 2016

P.C.:-

1 The chamber summons nos.232 of 2015 is taken out to condone the delay in filing the chamber summons, to bring on record the proposed defendants, who are the legal heirs of defendant no.3 and to amend the plaint as per the schedule annexed to the chamber summons.

2 The counsel appearing for the applicant/plaintiff states that they have served the proposed defendants. No reply has been filed and today nobody is present on behalf of the proposed defendants. The counsel appearing for the defendant nos.1,2,4,5 and 6 also has no

objection if the chamber summons is allowed.

3 In the circumstances, the chamber summons is allowed and accordingly disposed of in terms of prayer clauses – (a), (b) and (c). The amendment to be carried out and copy of the amended plaint to be served on all the parties within two weeks from today.

4 Should the defendant nos.1,2,4,5 and 6 wish to file any further written statement to the amended plaint, they may do so within two weeks of receiving a copy of the amended plaint.

5 Dr. Chandrachud, counsel for the defendant nos.1,2,4,5 and 6 states that his instructing advocate is unable to trace a copy of the written statement in his office and prays that the registry be directed to provide a photocopy (not certified copy) of the written statement.

6 The registry to provide a photocopy of the written statement within two weeks of receiving an application and upon paying photocopying charges. Dr. Chandrachud, counsel for the defendant nos.1,2,4,5 and 6, on instructions states that this

application will be made within one week from today. The counsel appearing for the plaintiff in fairness offers to provide to the defendants copies of all such pleadings that they require.

7 The notice of motion to be listed for hearing on 16th June, 2016.

(K.R.SHRIRAM,J)