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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 473 OF 2016
IN
SUIT NO. 800 OF 2015**

Maraekat Infotech Limited	...Plaintiff
<i>Versus</i>	
Naylesh V. Kothari & 6 Ors.	...Defendants

Mr. Darius Dalal, *with Mr. Laukik Palekar, Ms. Priya Thakkar, i/b M/s. Jehangir Gulabbhai & Bilimoria & Daruwalla, for the Plaintiff.*

Mr. Ganesh Gole, *for Defendant Nos. 1 to 3 and 7.*

Mr. S. Marne, *i/b Ms. Meghna Gowalani, for Defendant Nos. 4 to 6.*

**CORAM: G.S. PATEL, J.
DATED: 16th March 2016**

PC:-

1. The Chamber Summons is for amendment to the plaint. No Written Statement has been filed. The proposed amendment seeks to introduce some material that is stated on Affidavit, but has remained to be included in the Plaint itself.

2. The Chamber Summons is made absolute in terms of prayer clause (a). Amendment to be carried out on or before 28th March 2016.

3. All rights and contentions on all sides are expressly kept open.

4. After the amendment is carried out, copies of the amended plaint be served on the Advocates for the Defendants. In fairness, Mr. Marne for Defendant Nos. 4 to 6 and Mr. Gole for Defendant Nos. 1 to 3 and 7 waive service of a fresh Writ of Summons, provided a copy of the amended plaint is served on them. Mr. Dalal for the Plaintiff agrees, and undertakes to serve a copy of the amended plaint on the Advocates for the Defendants on or before 4th April 2016.

5. Since the amendments are substantial, the Defendants will be at liberty to file a further Affidavit in the pending Notice of Motion in response to the amended Plaint. These Affidavits shall be filed on or before 18th April 2016.

6. The hearing of Notice of Motion No. 1697 of 2015 is rescheduled on 26th April 2016.

7. At this stage, no directions are issued for filing of Rejoinder, since a considerable number of Affidavits have already been filed in the Notice of Motion and, further, since the Plaintiffs have been given an opportunity of amending the plaint.

8. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)