

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

**CHAMBER SUMMONS NO. 338 OF 2014
WITH
NOTICE OF MOTION NO. 520 OF 2013
WITH
NOTICE OF MOTION NO. 647 OF 2014
IN
SUIT NO.216 OF 2013**

Omprakash H. Navani .. Plaintiff
Vs.
Vijay K. Mundra & Ors. .. Defendants

Ms.Armin Wandrewala a/w. Ms.Jaini Shah i/b Akshay Vani for plaintiff.
Mr.Rishabh Shah i/b N.S. Patel & Co. for defendant nos.1, 3 & 4.
Mr.Phiroze Colabawala i/bMulla and Mulla for defendant nos.5, 6 and 8.

**CORAM : K.R.SHRIRAM, J.
DATE : 14TH SEPTEMBER, 2016**

P.C.

CHAMBER SUMMONS NO. 338 OF 2014

1 This chamber summons is for leave to amend the plaint as per the schedule annexed to the chamber summons. The counsel appearing for defendant nos.1, 3 and 4 and defendant nos.5, 6 and 8, the only defendants present in Court, have no objection if the chamber summons is allowed, subject to keeping their rights and contentions open, to be raised in the written statement yet to be filed.

2 Keeping rights and contentions of the parties open, the chamber summons is allowed in terms of prayer clause (a).

Amendment to be carried out and the amended plaint to be served within two weeks from today. The written statement to be filed within two weeks of receiving the amended plaint.

3 The suit to be listed for issues on 5th December 2016.

Parties in the meanwhile to file their affidavit of documents and also complete discovery and inspection and also exchange their respective statements of admission and denial with reasons for denial.

NOTICE OF MOTION NO. 520 OF 2013

Ms.Wandrewalla, counsel appearing for the applicant seeks leave to withdraw the notice of motion.

The notice of motion disposed as withdrawn.

NOTICE OF MOTION NO. 647 OF 2014

Since notice of motion no. 520 of 2013 has been withdrawn, the question of this notice of motion being considered for framing of preliminary issue under Section 9A does not arise.

This notice of motion, therefore, stands dismissed.

(K.R. SHRIRAM, J.)