

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

CHAMBER SUMMONS NO.535 OF 2014

**IN
SUIT NO.2303 OF 2011**

Manji Sama PatelApplicant/Plaintiff

V/s.

Bindiya CHS Ltd.Defendant

Ms. Swapnali Desai i/b. Mr. Bharat Joshi for the applicant/plaintiff.
None for the defendant.

**CORAM : K.R.SHRIRAM,J
DATE : 21st SEPTEMBER, 2016**

P.C.:-

1 This chamber summons is taken out by the plaintiff for leave to amend the plaint as per the Schedule annexed to the chamber summons to introduce some facts that came to the notice of the plaintiff after the suit was filed.

2 The counsel for the applicant/plaintiff states that the chamber summons has been served upon the defendant way back in April, 2014 and the applicant has filed an affidavit of service of one Antonio Felix Dias sworn on 7th July, 2014. No reply has been filed by the defendant and nobody is also present today for the defendant. The counsel for the applicant further states that the defendant has filed written statement but issues are yet to be settled.

3 Have considered the Schedule of proposed amendment.
The plaintiff is not seeking new reliefs. The plaintiff has only narrated
the facts which transpired after the suit came to be filed.

4 In the circumstances, in my view, this chamber summons
can be allowed and is hereby allowed and disposed of in terms of
prayer clause – (a).

5 The plaint to be amended and copy of the amended plaint
to be served upon the defendant within two weeks from today. Within
two weeks of receiving the copy of the amended plaint, the defendant
to file further written statement, should they wish to.

6 On or before 1st November, 2016 the parties to file their
respective affidavit of documents. On or before 15th November, 2016
parties to give inspection of documents relied upon by each other and
by 19th November, 2016 parties to file and exchange their statement of
admission and denial with reasons for denial.

7 The suit be listed for issues on 28th November, 2016.

(K.R.SHRIRAM,J)