

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.1273 OF 2016
IN
SUIT NO.965 OF 2011**

Azim Premji	...	Applicant
and		
Subhiksha Trading Services Ltd. and Anr.	...	Plaintiffs
versus		
Azim Premji	...	Defendant

Mr. R. Subramanian, Plaintiff No.2 present in person.
Mr. J.P.Sen, Senior Advocate with Dr. Birendra Saraf, Mr. Rohaan Cama, Mr. Rohan Dakshinya, Ms. Anuja Abhyakar i/by M/s. Federal and Rashmikant, for Applicant/Defendant.

CORAM: S.J. KATHAWALLA, J.

DATE: 13th JULY, 2016

P.C.:

1. The Plaintiff No.2 Shri R. Subramanian, tenders draft amendment and seeks to amend the Plaint in terms of the draft amendment. The learned Senior Advocate for the Defendant opposes the draft amendment on the ground that the Plaintiff No.2 has filed an Appeal impugning the order passed by this Court dated 12-05-2016 and therefore, the amendment cannot be allowed at this stage. In response, the Plaintiff has stated that the Plaintiffs are not impugning the order passed by this court dismissing the Suit against Original Plaintiff No.1 Company and that he accepts the order passed by this Court and has limited his Appeal only to the extent of the observations of this Court in Paragraph Nos.18 and 21 to the effect that the Plaintiff is

trying to delay the hearing in the matter. The statement is accepted and the Plaintiff No.2 is allowed to amend the Plaint in terms of the draft amendment. Draft amendment is taken on record and marked 'X' for identification. Plaintiff No.2 is allowed to amend the Plaint in terms of the draft amendment, marked 'X'. Amendment to be carried out within a period of one week from today. The Chamber Summons is accordingly disposed of.

2. Place the Suit for Directions on 25th July, 2016.

(S.J.KATHAWALLA,J.)