

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN ITS ADMIRALTY & VICE ADMIRALTY JURISDICTION**

**CHAMBER SUMMONS NO.1396 OF 2015
IN
ADMIRALTY SUIT NO.48 OF 2015**

The Board of Trustees of the Port of MumbaiApplicant

In the matter between :

The Board of Trustees of the Port of MumbaiPlaintiff

V/s.

M.V. Labitra Carmel & Ors.Defendants

Mr. Ajay Fernandes i/b. Motiwalla & Co. for the applicant/plaintiff.
None for the defendants.

**CORAM : K.R.SHRIRAM,J
DATE : 31st AUGUST, 2016**

P.C.:-

1 The counsel for the applicant states that they have served the chamber summons upon the defendants and undertakes to file affidavit of service within two weeks from today.

2 Despite service no reply has been filed by the defendants. Moreover, the defendants have not filed any written statement. Mr. Fernandes, counsel appearing for the applicant states that the defendants have not even entered appearance in the matter.

3 Having heard the counsel for the applicant and having considered the affidavit in support of the chamber summons and also in view of the fact that the averments relating to this amendment can be found in paragraph 10 of the plaint, the chamber summons is allowed and accordingly disposed of in terms of prayer clause – (a).

4 The amendment to be carried out within two weeks from today and amended copy to be served upon the defendants within one week thereafter.

5 The suit be listed for directions on 23rd September, 2016.

(K.R.SHRIRAM,J)