

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

**CHAMBER SUMMONS NO.1211 OF 2014
IN
SUIT NO.460 OF 2014**

Heritage Lifestyles and Developers Ltd. ... Applicant
and
M/s. Heritage Lifestyles and Developers Ltd. ... Plaintiff
versus
M/s. Sahakar Nagar Cool Freeze Co-op.
Housing Soc. Ltd. and Ors. ... Defendants
and
M/s. Veena Developers ... Applicants

Mr. Mani Thevar i/by M/s. Mahesh Menon and Co., for Plaintiff.
Mr. Ashwin Shete with Ms. Ketki Gadkari i/by M/s. Jayakar and Partners, for
Defendant Nos.2 to 9 and 11 to 33.
Mr. Omkar Kulkarni, for Defendant No.35.
Ms. Prerna R. Lalchandani, for Defendant No.36.

CORAM: S.J. KATHAWALLA, J.

DATE: 8th JUNE, 2016

P.C.:

1. Perused the Chamber Summons and the Affidavit in support thereto.
Except for Defendant No.10, all the Defendants are served. The learned Advocate for
the Defendants states that they have no objection if the Chamber Summons is allowed.
For reasons set out in the Affidavit in support of the Chamber Summons, the
Chamber Summons is allowed in terms of prayer clauses (a) and (b), which are
reproduced hereunder :

*“(a) that this Hon’ble Court may be pleased to permit the Plaintiff to implead the Respondent as Defendant No.37 in the present Suit;
(b) That this Hon’ble Court may be pleased to permit the Plaintiff to carry out the amendment and consequent changes in the Plaint and pending proceedings as per the Schedule annexed hereto”;*

2. Amendment to be carried out within a period of one week from today.
A copy of the amended Plaint shall be served on the newly added Defendant. The newly added Defendant to file its Written Statement if any, within a period of three weeks from the date of service of the Writ of Summons on them.
3. The Chamber Summons is accordingly disposed of.
4. Place the Suit for Framing of Issues on 18th July, 2016.

(S.J.KATHAWALLA, J.)