

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**ORDINARY ORIGINAL CIVIL JURISDICTION****CHAMBER SUMMONS NO.699 OF 2016****IN****SUIT NO.775 OF 2009**

Padmaben Ajit Shah

....Plaintiff/applicant

V/s.

Deviben M.Shah & Ors.

....Defendants

Mr.Rushil Mehta for the plaintiff/applicant.

Mr.Chirag S.Dave i/by M/s.Legasis Partners for the defendant no.8.

CORAM : K.R.SHRIRAM,J**DATE : 27.2.2017****P.C.:-**

1 This chamber summons is taken out for leave to amend the plaint as per the schedule annexed to the chamber summons and the amendment is to introduce the respondent as defendant no.13 and carry out consequential amendments. Affidavit of service of one Avinash M.Varalkar affirmed on 5.4.2016 is tendered which is taken on record in which it is stated that when the affiant went to serve the chamber summons upon the respondent he was not even allowed to enter inside the building.

2 In the circumstances, chamber summons is allowed in terms of prayer clause-(a). It is clarified that the amendment is restricted to clauses-(a), (b) & (c) only of the schedule and not the

bracketed portion. The amendment to be carried out within 3 weeks and amended plaint to be served upon the parties within one week thereafter.

Suit to come up in due course.

(K.R.SHRIRAM,J)