

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

**CHAMBER SUMMONS NO. 885 OF 2016
IN
SUIT NO. 2018 OF 2007**

Corporation Bank

...Applicant/Proposed Intervener

In the matter between

Joy Realty Ltd. & Anr.

...Plaintiffs

vs.

M/s.Lodha C.H.S. Ltd. & Ors
and Corporation Bank (Applicant)

...Defendants

Mr.U.S. Shetty for Applicant / Intervener.

Ms.Shivani Shah I/b. Jhangiani Narula & Associates for Plaintiffs.

Ms.Akanksha Patil I/b. Narayanan & Narayanan for Defendant No.23.

CORAM : S.C. GUPTE, J.

9 JUNE 2017

P.C. :

This chamber summons seeks impleadment of the intervener third party as a party Defendant to the suit.

2 Learned Counsel for the Plaintiffs, who are Respondents to the chamber summons, has no objection to the chamber summons being allowed subject to her contentions on merits of the case of the Intervener/Applicant being kept open.

3 The chamber summons is allowed in terms of prayer clause (a). All contentions of the parties on merits are kept open.

4 Learned Counsel for original Defendant No.23 informs the court

that there is an order of winding up against Defendant No.23. The Plaintiff will have to accordingly take steps to seek leave of the Company Court under Section 446 of the Companies Act and also join the Official Liquidator.

5 The chamber summons is disposed of.

(S.C. Gupta, J.)