

**CHAMBER SUMMONS NO.77 OF 2017
WITH
SUMMONS FOR JUDGMENT NO.27 OF 2014
IN
COMMERCIAL SUIT NO.50 OF 2014**

Vs.

WITH

**SUMMONS FOR JUDGMENT NO.28 OF 2014
IN
COMMERCIAL SUIT NO.49 OF 2014**

Vs.

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Mr. Zal Andhyarujina a/w. Mr. Aditya Mehta, Ms. Rachyeta Sha and Ms. Aditi Thakur i/b. Cyril Amarchand Mangaldas for plaintiff in both suits. Mr. Gaurav Joshi, senior Advocate a/w. Mr. Simil Purohit, Adv. Ayush Agarwal and Mr. Parth Gokhale i/b. Khaitan and Co. for defendant in both suits.

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CORAM : K.R.SHRIRAM, J.
DATE : 28th SEPTEMBER, 2017

P.C.:

CHAMBER SUMMONS NO.77 OF 2017

1 Heard the counsel. This is a pre-trial amendment. From the
Schedule annexed to the chamber summons, it appears that plaintiff only
wish to introduce certain documents as mentioned therein. It does not
change the nature or character of the suit. Considering the documents, it
does appear that it will be necessary for effective adjudication of the suit.

2 In the circumstances, chamber summons is allowed and accordingly disposed in terms of prayer clause – (a).

3 Amendment to be carried out and copy of the amended plaint to be served within two weeks from today.

4 Mr. Joshi appearing for defendant, on instructions, is pressing for cost.

5 Plaintiff to pay a sum of Rs.25,000/- as cost to defendant. This amount to be paid by way of cheque drawn in favour of the Advocate on record for defendant within two weeks from today.

6 Liberty is granted to defendant to file additional affidavit in reply to the summons for judgment in view of the amendment. Should further rejoinder be required, plaintiff is also permitted to file further rejoinder.

7 Summons for judgment to be listed for hearing on 9th November, 2017.

(K.R. SHRIRAM, J.)