

Judgment as per the schedule annexed and marked as Exh “A” to the Chamber Summons.

3 On going through the schedule, *prima facie* in my opinion, the same does not alter the cause of action or change the nature of the suit. In fact certain figures are sought to be substituted by the figures that were given earlier. Why the figures have changed, are also sought to be brought by way of an explanation through this amendment.

4 In these circumstances, the Chamber Summons is allowed in terms of prayer clause (a). The amendment to be carried out as per the schedule handed over across the bar today and which is marked “X” for identification within a period of one week from today and the amended copy of the plaint as well as the Summons for Judgment be served on the advocates for the Defendant within a period of one week thereafter. Once the amended copy of the Summons for Judgment is served on the Defendant, the Defendant shall be at liberty to file additional affidavit in reply, if so advised. Needless to state that all contentions of the Defendant with reference to merits of the

amendment are kept open. The Chamber Summons is disposed of accordingly.

5 The Summons for Judgment is stood over to 14th December, 2017.

(B. P. COLABAWALLA, J.)