

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

**CHAMBER SUMMONS NO.1139 OF 2015
IN
SUIT NO.98 OF 2013**

M/s. Shree Shubh Enterprises And Others ... Applicants/
Defendant Nos.1 to 3

In the matter between :

D.N. Nagar "DEEP" Co-operative
Housing Society Ltd. ... Plaintiff
Versus
M/s Shree Shubh Enterprises ... Defendant

WITH
NOTICE OF MOTION NO.620 OF 2014
WITH
NOTICE OF MOTION NO.1447 OF 2015
WITH
CHAMBER SUMMONS (L) NO.315 OF 2016
WITH
NOTICE OF MOTION NO.1980 OF 2016
IN
NOTICE OF MOTION NO.223 OF 2013
IN
SUIT NO.98 OF 2013

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Mr. Abdetaiyeb Q. Motiwala for Defendant Nos.1 and 2 and Applicants in
Chamber Summons No.1139 of 2015.

Mr. Ganesh Ambekar i/b Thakore Jariwala & Associates for Respondent
Nos.5 and 6 in Notice of Motion No.1980 of 2016.

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CORAM : S.C.GUPTE, J.

DATE : 28 JULY 2017

P.C. :

. Learned Counsel for the Applicants (original Defendant Nos.1 to 3), who have taken out the present Chamber Summons for amendments of the written statement, informs the Court that the Chamber Summons has been duly served on the Plaintiff on 28 August 2015. There is no reply on the part of the Plaintiff. By this Chamber Summons, the Applicants (original Defendant Nos.1 to 3) propose to bring on record certain facts which came to their knowledge during the pendency of the suit. It appears that after the written statement was filed by these Defendants, the plaint has been amended in pursuance of an order passed by this Court 5 August 2014.

2 Since the amendments are necessary to bring out real controversy between the parties and since the trial has not commenced and also in view of the fact that there is no contest as far as the present Chamber Summons is concerned, the Chamber Summons is made absolute in terms of the prayer clause -(a). The amendments to be carried out within three weeks from today.

3 No order as to costs.

(S.C. GUPTE, J.)