

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ADMIRALTY AND VICE ADMIRALTY JURISDICTION**

**CHAMBER SUMMONSN (L) NO.1457 OF 2017**

**IN**

**ADMIRALTY SUIT (L) NO.531 OF 2017**

Kumar Vellekkat Achutan & Ors. ....Applicants/Plaintiffs

Vs.

M.V. Neel Akash and Ors. ....Defendants

And

Varun Maritime Limited ....Respondent

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Ms. Prapti Kedia i/b. Khare Legal Chambers for applicants/plaintiffs.

Mr. Kunal Mehta a/w. Mr. Aman Gupta i/b. Crawford Bayley and Co. for defendant no.2/respondent.

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**CORAM : K.R.SHRIRAM, J.**

**DATE : 20<sup>th</sup> DECEMBER, 2017**

**PC.:**

1           This chamber summons is taken out to amend the plaint as per Schedule - I and II annexed to the chamber summons. By the proposed amendment, plaintiffs seek to add respondent as defendant and also add paragraph to the plaint consequent thereto.

2           Mr. Mehta, counsel for respondent, on instructions states that respondent has no objection to the relief prayed for being granted.

3           In the circumstances, chamber summons is allowed and accordingly disposed in terms of prayer clauses – (a) and (b) which read as under :

*(a) pending the hearing and final disposal of the suit, an order and direction be passed allowing the Applicants/*

*Plaintiffs to amend the Complaint to implead Varun Maritime Ltd. as Defendant No.3A in terms of Schedule I hereto;*

*(b) pending the hearing and final disposal of the suit, an order and directions be passed allowing the Applicants/ Plaintiffs to replace/substitute paragraph 3 (B) in the Complaint with the paragraph 3B mentioned in Schedule II and the Exhibits mentioned therein be allowed to be annexed to the Complaint.*

4                   Amendment to be carried out and copy of the amended complaint to be served within three weeks from today.

5                   Mr. Mehta, counsel for respondent and defendant no.2, who is being added as defendant no.3(a), waives service of writ of summons.

6                   Written statement to be filed and copy served within four weeks of receiving copy of the amended complaint.

7                   Suit to be listed for directions on 16<sup>th</sup> February, 2018.

**(K.R. SHRIRAM, J.)**