

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.17/2016
IN
SUIT NO.347/2014

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Vinod Kothari a/w. Mr. Merchant i/b. Apex Law Partners for the applicant
Mr. P. Mamjumdar i/b. M. P. Savla & Co. for the plaintiff

CORAM : K. K. TATED, J.
DATE : SEPTEMBER 11, 2017

P.C.:

1. Heard. The Chamber Summons is made by the applicant for joining them as defendant in the suit on the basis of deed of assignment dated 19.03.2014 and under section 5(3)(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act).

2. Considering the submissions made by the learned counsel for the applicant and the deed of assignment dated 19.03.2014 and section 5(3)(4) of the SARFAESI Act, I am satisfied that the applicant has made out a case for allowing the

Chamber Summons directing the plaintiff to join the applicant as defendant No.4 and carry out the amendment.

3. Hence, following order is passed:

a. The plaintiff is directed to join the applicant as defendant No.4 in the Suit by carrying out appropriate amendment within three weeks from today.

b. If the amendment is carried out within stipulated time as stated hereinabove, the plaintiff is directed to provide an amended copy of the plaint along with all annexures to the advocate for the applicant / added defendant No.4.

c. The learned counsel for the added applicant / defendant No.4 waives service in the suit.

d. The Chamber Summons stands disposed of accordingly.

S.O. to 09.10.2017, for Directions.

JUDGE