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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.56 OF 2018

IN

COMMERCIAL SUIT NO.53 OF 2016

Pushkar Chemicals And Fertilisers Ltd. ...Plaintiff

VS

Huntsman International (India) Pvt. Ltd. ...Defendant

.....

Mr. Dharam Juman, a/w. Mr. Nilesh Tated and Ms. Ankita Agrawal, i/b. DSK Legal, for the Plaintiff.

Mr. Zubin Behramkamdin, a/w. Ms. Arti Raghavan, and Ms. Sanjana Boch, i/b. Verus, for the Defendant.

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CORAM : S.C. GUPTE, J.

DATED : 02 FEBRUARY, 2018

P.C. :

. The Chamber Summons is taken out by the original Defendant, who is granted unconditional leave to defend the suit originally filed as a summary suit. The Chamber Summons seeks leave to permit the Applicant to implead Respondent Nos. 1 to 15 as Defendants to the suit for the purpose of the counter-claim. Learned Counsel for the Applicant/Defendant concedes that there is no need really to implead the parties first as Defendants to the suit for making them parties to the counter-claim. The main relief in the Chamber Summons, accordingly, does not survive. Learned Counsel, however, submits that his client could not file its written statement in time. He submits that this was on account of the fact that the case pleaded in the counter-claim is of fraud and requires inclusion of many particulars. The Applicant/Defendant is granted further two weeks' time to

file its written statement and counter-claim. It is made clear that no further accommodation would be granted. The Chamber Summons is disposed of.

(S.C. GUPTE, J.)