

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

**CHAMBER SUMMONS NO.67 OF 2018
IN
WRIT PETITION NO.550 OF 2014**

Gope Laxmichand Badlani : Applicant.

In the matter of

Gope Laxmichand Badlani : Petitioner.

Versus

Oriental Bank of Commerce : Respondent.

Mr. Mohan Bir Singh I/by MBS & Co. for the Applicant/Petitioner.

Mr. H Kumar Vaidyanathan a/w Ms. Purnata Raiyani for the Respondent.

**CORAM : R. M. SAVANT &
K. K. SONAWANE, JJ.**

DATE : 07th SEPTEMBER 2018

P.C.

1 The above Chamber Summons has been filed for seeking to amend the above Writ Petition in terms of the Schedule which is annexed to the Chamber Summons. The Schedule inter alia contains the averments to be incorporated by way of Paragraphs 51A to 51K as also additional prayer clauses (b-1), (b-2) and (b-3) in the above Writ Petition.

2 The amendment sought is on the basis of the subsequent events which have transpired after filing of the above Writ Petition. One of the subsequent events is the acquittal of the Applicant/Petitioner in Criminal Case No.5066 of 2013 by the Chief Judicial Magistrate, Chandigarh. The Petitioner

by way of incorporating the prayer clauses (b-1), (b-2) and (b-3) claims a sum of Rs.1,20,00,000/- as an amount which the Petitioner would have to been entitled to from 15/12/1995 till his date of superannuation i.e. 31/03/2012. The Petitioner further by way of prayer clause (b-2) is seeking compensation in the sum of Rs.90,00,000/- as also a sum of Rs.10,00,00,000/- as compensation for malicious, malafide and baseless litigation as also costs of litigation computed at Rs.25,00,000/-.

3 In our view, since the above Writ Petition is at the pre-admission stage. Without going into the merits of the case sought to be incorporated as also without prejudice to the rights and contentions of the Respondent Bank qua the amendment sought, the above Chamber Summons can be allowed and is accordingly allowed in terms of prayer clause (a). Amendment to be carried out within two weeks from date and the amended copy of the Writ Petition to be served on the learned counsel for the Respondent-Bank. The Respondent-Bank would be at liberty to file its reply to the amended Writ Petition within four weeks of the amended copy of the Petition being served on the learned counsel for the Respondent. Rejoinder if any to be kept ready. List the above Writ Petition for admission on 19/10/2018. the above Chamber Summons is accordingly disposed of.

Laxmikant
Gopal
Chandan

[K. K. SONAWANE, J]

[R.M.SAVANT, J]

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