

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

**CHAMBER SUMMONS NO.273 OF 2017
in
COMM.ADMIRALTY SUIT NO.314 OF 2016
with NOTICE OF MOTION (L) NO.642 OF 2018**

Rattan India Power Ltd Applicant

In the matter of

Harmony Innovation Shipping Ltd .. Plaintiff

vs

Cargo of 57080 MT of Indonesian Stem Coal
in bulk currently laden on board

M.V.Common Venture at port and harbor Dharamatar & ors
.. Defendants

Mr.Vishal Sheth with Ms Ridhi Niyati I.b Asahwin Shanker
for plaintiff

Mr.Ankit Tripathi with Ms Prateeti Thakar I/b FF
& Associates for Applicant-Intervenor

Coram : K.R.SHRIRAM, J

Date : 2nd MAY, 2018

P.C

Mr.Sheth for the plaintiff states that without prejudice to the plaintiff's rights and contentions, the application be allowed in terms of prayer clause (a). Prayer clause (a) reads as under :

“ this Hon'ble Court be pleased to permit the applicant to be impleaded as a necessary party to the present proceedings and

to direct the petitioner to amend the above suit and add the applicant as a party to the same.”

2. Chamber Summons accordingly disposed of in terms of prayer clause (a).

3. Plaintiff be amended and an amended plaintiff to be served within two weeks. Mr.Tripathi for the applicant/newly added defendant waives service of the writ of summons. Mr.Sheth for the plaintiff seeks to add the following in para 1 of the plaint:

“ Defendant no.5 is added as defendant pursuant to an order dated 2.5.2018 passed in Chamber Summons no.273 of 2017.”

Leave granted.

4. Notice of Motion no.123 of 2017 and 642 (Lodging) of 2017 be listed for hearing on 20.6.2018 subject to final numbering of the notice of motion.

(K.R.SHRIRAM, J)