

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

**CHAMBER SUMMONS NO.878 OF 2017
IN
SUIT NO.4926 OF 2000**

Natasha Construction Ltd.)....Applicant

IN THE MATTER BETWEEN :

Natasha Construction Ltd.)....Plaintiff
V/s.

Sitaram Education Trust & Ors.)....Defendants

Ms.Shilpa Kapil for applicant/plaintiff.

Mr.Farid Karachiwala a/w Ms.Sneh Mehta I/by Wadia Ghandy and Co.
for defendants.

CORAM : K.R.SHRIRAM,J

DATE : 11.9.2018

P.C.:-

1. This chamber summons is for leave to amend the cause title in view of change of plaintiff/applicant.

2. Mr.Karachiwala for defendants has no objection for granting this chamber summons but points out that the name change apparently happened sometime in June-2005 and this chamber summons has been taken out in July-2017, 12 years later. Mr.Karachiwala states that therefore, the applicant should be put to terms.

3. Chamber summons allowed in terms of prayer clause-(a).

Amendment to be carried out and amended plaint to be served within two weeks. Since it is only a formal change of name, question of filing any further written statement does not arise.

4. Applicant to give donation of Rs.10,000/- to Chief Ministers Distress Relief Fund, Account No.67319948232, Bank : State Bank of India, Branch : City Branch, Thiruvananthapuram, IFSC : SBIN0070028, Pan : AAAGD0584M, Account Type : Savings, Swift Code : SBININBBT08, and this amount to be given within two weeks from today under advise to defendants.

5. Counsel states that issues have already been framed. Ms.Kapil for applicant/plaintiff states that affidavit of documents has already been served upon defendants, one year ago.

Mr.Karachiwala states that inspection has already been taken and within one week, the defendants will provide statement of admission and denial with reasons for denial.

Ms.Kapil states that if the defendants deny any of the documents and if that requires further evidence to be filed, further evidence in examination in chief will be filed within two weeks of receiving statement of admission and denial. Leave granted.

6. Mr.Karachiwala for defendants states that defendants will file their affidavit of document and serve copy thereof upon plaintiff within two weeks from today and inspection also will be given within this period. Within one week from taking inspection, plaintiff will provide statement of admission and denial with reasons for denial.

7. Stand over to 11.10.2018 for marking of documents/recording evidence of plaintiffs at which time plaintiffs' 1st witness shall remain present in court.

Jahagirdar
Kiran
Ganesh

Digitally
signed by
Jahagirdar
Kiran Ganesh
Date:
2018.09.14
16:14:08
+0530

(K.R.SHRIRAM,J)