

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

CHAMBER SUMMONS NO.333 OF 2017  
WITH  
SUMMONS FOR JUDGMENT NO.67 OF 2017  
WITH  
NOTICE OF MOTION NO.493 OF 2017  
IN  
COMMERCIAL SUIT NO.504 OF 2017

Induben Anil Ashar ... Plaintiff

Versus

Mulchand Kaluchand Ranka  
alias Mulchand Kaluchand Shah ... Defendant

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Mr. Karl Tamboly a/w Ms. Rubina Dodhia I/b Jayakar & Partners for the Plaintiff.

Mr. Gaurav Joshi, Senior Advocate a/w Mr. Kazzan Shroff, Ms. Amruta Athavale I/b Aashish Suryavanshi for the Defendant.

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**CORAM : S.C.GUPTE, J.**

**DATE : 21 MARCH 2018**

**P.C. :**

Chamber Summons No.333 of 2017.

The Chamber Summons seeks amendment. Learned Counsel for the Plaintiff tenders a rejoinder. By consent, the Chamber Summons is allowed in terms of prayer clause -(a). This order is without prejudice to the rights and contentions of both parties on merits. Amendment to be carried out within two weeks. Amended copy of the plaint be served on the Defendant.

2     Summons for Judgment No.67 of 2017.

By consent, an unconditional leave to defend is granted to the Defendant and the Summons for Judgement is disposed of. Written statement to be filed by the Defendant within four weeks of service of the amended plaint.

3     Notice of Motion No.493 of 2017.

Learned Counsel for the Applicant in the Notice of Motion (original Defendant) seeks leave to withdraw the notice of motion with liberty to file a fresh motion, if necessary, after amended copy of the plaint is served on him. Notice of Motion is disposed of as withdrawn with liberty as prayed.

4     Hearing of the Commercial Suit is expedited. Place the suit for directions after six weeks.

**(S.C. GUPTE, J.)**