

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COMMERCIAL CHAMBER SUMMONS NO.216 OF 2017
IN
COMMERCIAL SUIT NO.143 OF 2017**

IDBI Bank Limited

....Applicant/Plaintiff

Vs.

Parameshwari Fabrics Private Ltd. and Ors.

....Defendants

Mr. Makarand P. Rege for applicant/plaintiff.

Mr. Udaya S. Samudrala for defendant nos.1 to 4 and 10 to 12.

Mr. Yogesh Adhia for defendant no.5.

Ms. Simantini Mohite a/w. Ms. Shruti Maniar I/b. Solomon and Company
for defendant no.9.

CORAM : K.R.SHRIRAM, J.

DATE : 26th NOVEMBER 2018

P.C.:

COMMERCIAL CHAMBER SUMMONS NO.216 OF 2017

1 All defendants and proposed defendant state that they have no objection to the relief sought in the chamber summons subject to keeping open all their rights and contentions.

2 Accordingly chamber summons is allowed and disposed in terms of prayer clause – (b).

3 Amendments to be carried out and copy of the amended plaint to be served within three weeks from today.

4 Mr. Adhia, counsel appearing for newly added defendant no.5 waives service of writ of summons.

5 Mr. Rege states that all other defendants have been served. All defendants to file written statement, if not already filed, within two weeks of receiving copy of the amended plaint.

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1 Pleadings in the suit are completed. Therefore, the following further directions are passed :

(a) parties to file their respective affidavit of documents and serve a copy thereof upon the other side on or before 14th January 2019, failing which parties will not be permitted to rely on any document, copy whereof is not annexed to the plaint and/or written statement or mentioned in the list of documents annexed to the plaint and/or written statement.;

(b) inspection to be given and statement of admission and denial with reasons for denial to be exchanged by 21st January 2019. If the statement of admission and denial is not given, parties shall be deemed to have admitted the existence of all the documents of the other side. If inspection is not given, such party will not be permitted to rely on any document.

2 Suit be listed for issues on 30th January 2019 on which date parties shall come with agreed draft issues and a separate list of issues on which they are unable to agree.

(K.R. SHRIRAM, J.)