

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
CHAMBER SUMMONS NO. 995 OF 2018
IN
COMMERCIAL SUMMARY SUIT NO. 579 OF 2018
WITH
SUMMONS FOR JUDGMENT NO. 95 OF 2018**

Google Asia Commerce Pte Ltd	...Plaintiff
<i>Versus</i>	
Ots E-Solutions Pvt Ltd & Ors	...Defendants

Ms Padmaja Dholakia, *with Charushila More, i/b Dholakia Law Associates for Plaintiff.*

Mr Dharmesh Jain, *with Aamir Faruqui, i/b Anil T Agrawal, for Defendant No. 3 and Applicant in CHSCD/995/18.*

Mr Sharan Jagtiani, *with Ms Bindi Dave, Mr Leshan Sinha, Mr Jigar Parmar, i/b Wadia Ghandy & Co, for Defendant No. 1.*

CORAM: G.S. PATEL, J
DATED: 4th December 2018

PC:-

1. Defendant No. 1 has filed *Chamber Summons (L) No. 1770 of 2018* to claim that the transaction on which the Summary Suit is

based is covered by an international arbitration clause. That Chamber Summons is not on board. It has just been served.

2. Affidavit in Reply to be filed and served on or before 4th January 2019. Affidavit in Rejoinder, if any, to be filed and served on or before 18th January 2019. No further Affidavits to be filed without leave of the court.

3. List the Chamber Summons (L) No. 770 of 2018 for hearing and final disposal on 23rd January 2019.

CHAMBER SUMMONS NO. 995 OF 2018

4. This Chamber Summons is filed by the 3rd Defendant. It seeks that the delay of 13 days in filing the vakalatnama after service of the Writ of Summons in the Summary Suit be condoned.

5. The Chamber Summons is made absolute in terms of prayer clause (a) subject to the filing of the vakalatnama in the Registry on or before 10th December 2018.

6. Liberty to the Plaintiff, without need of filing a fresh Summons for Judgment, to amend the existing Summons for Judgment, if required.

(G. S. PATEL, J)

Note : This order is modified by an order dated 7th January 2019