

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 219 OF 2018***IN******WRIT PETITION NO. 1039 OF 2017***

Asrec (India) Ltd.

....Applicant/
Petitioner

V/s.

The State of Maharashtra
and 4 Ors.

....Respondents

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Mr. Umesh Shetty a/w. Ms. Disha, Sayalee I/by. M/s. Orbit
Law Services for the applicant.Mr. V.A. Sonpal, Special Counsel a/w. Ms. Deepali Patankar,
AGP for State.***Coram : K.K. Tated, &******Sandeep K. Shinde, JJ.******Friday 28th September, 2018.******P.C. :***

1. Heard Learned Counsel for the parties.
2. By this Chamber Summons, the applicant-original
petitioner is seeking to carrying out appropriate

amendment in the Writ Petition as per the Schedule annexed on page-4 to the Chamber Summons.

3. The Learned Counsel for the applicant, submits that, they have already served respondents no.1, 2 and 3. To that effect, he has filed affidavit of service. The same is taken on record. The Learned Counsel for the applicant submits that, it is not necessary to serve respondents no.4 and 4 who are formal parties. They seek permission to delete the names of respondents no.4 and from the present Chamber Summons. The same is permitted. Amendment to be carried out forthwith. Re-verification is dispensed with.

4. Considering the submissions made by the Learned Counsel for the petitioner and the averments made in support of the Chamber Summons, we are satisfied that the applicant has made out a case for allowing this Chamber Summons.

5. Hence, the following order :

(a) the applicant-original petitioner is permitted to carry out amendment in Writ Petition No. 1039 of 2017 as per the Schedule on page-4 within three weeks from today

failing which the Chamber Summons shall stand dismissed without sending back to the Court.

(b) If amendment is carried out within the stipulated time as stated hereinabove, the petitioner is directed to serve the copy of the amended petition on the other side and file affidavit of serve within four weeks from today.

(c) Re-verification of petition is dispensed with.

(d) Liberty granted to the respondent, if they so desire, to file their reply, additional affidavit-in-reply to the amended Writ Petition.

(e) Respondents no.1, 2 and 3 are granted liberty to file their affidavit-in-reply within three weeks from service of amended Writ Petition with copy to the other side.

(f) Chamber Summons stands disposed off accordingly with no order as to costs.

(SANDEEP K. SHINDE, J)

(K.K. TATED, J)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 162 OF 2018***IN******WRIT PETITION NO. 1039 OF 2017***

Asrec (India) Ltd.

....Applicant/
Petitioner

V/s.

The State of Maharashtra
and 4 Ors.

....Respondents

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Ms. Nidhi Chheda I/by. M/s. Thodur Law Associates,
Advocate for the applicant.Mr. V.A. Sonpal, Special Counsel a/w. Ms. Deepali Patankar,
AGP for State.***Coram : K.K. Tated, &******Sandeep K. Shinde, JJ.******Friday 28th September, 2018.******P.C. :***

1. Heard Learned Counsel for the parties.
2. This Chamber Summons is preferred by third party
for intervening in Writ Petition No. 1039 of 2017.

3. Considering the submissions made by the Learned Counsel for the applicant and the averments made in the affidavit in support of the Chamber Summons, the following order is passed :

(i) the applicant to complete the service on all the parties on/or before 19th October, 2018 and file affidavit of service.

(ii) Liberty granted to the respondent to file their affidavit-in-reply on/or before 26th October, 2018 with copy to the other side.

(iii) Chamber Summons to be shown on board on 31st October, 2018 for hearing.

(SANDEEP K. SHINDE, J)

(K.K. TATED, J)