

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION**

**COMMERCIAL CHAMBER SUMMONS NO.185 OF 2018
IN
COMMERCIAL SUIT NO.233 OF 2017**

Ajanta Pharma LimitedApplicant/Plaintiff

Vs.

Naturon Healthcare LimitedDefendant

Mr. Sanskar Marathe for applicant/plaintiff.

None for defendant.

CORAM : K.R.SHRIRAM, J.

DATE : 10th DECEMBER 2018

P.C.:

1 Mr. Marahte, counsel for applicant states that chamber summons has been served on defendant and also intimation has been sent to defendant directly about this chamber summons.

2 No issues have been framed. Therefore, no prejudice will be caused to defendant if the amendment application is allowed.

3 Keeping open the rights and contentions of defendant open to file further written statement, chamber summons is allowed and accordingly disposed in terms of prayer clause – (a).

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

5 Further written statement to be filed and copy served within two weeks of receiving copy of the amended plaint.

6 Parties to file their respective affidavit of documents and serve a copy thereof upon the other side on or before 31st 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.

7 Inspection to be given and statement of admission and denial with reasons for denial to be exchanged by 9th February 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.

8 Suit be listed for issues on 13th February 2019 on which date parties shall come with agreed draft issues and a separate list of issues on which they are unable to agree. On the next date, if parties do not come with draft issues, they are put to notice that parties will be put to terms.

(K.R. SHRIRAM, J.)