

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.1379 OF 2018
IN
COMM. ARBITRATION PETITION NO.626 OF 2018

E-Billing Solutions Pvt.Ltd. (formerly known as Tech Process Payment Services Ltd.	... Applicant
and	
TechProcess Payment Services Ltd. and anr.	... Petitioners
v/s	
Bikramjit Sen	... Respondents

Mr V.R. Dhond, Sr. Counsel with Ms Ankita Singhanian, Mr Udit Mendiratta, Ms Manini Bharti, Ms Aparajita Sinha and Ms Salona Mittal I/b M/s Tri Legal for Applicant in Ch/Sum No.1379 of 2018.

Mr Cyrus Ardeshir with Mr Atul Daga, Mr Farid Karachiwala, Mr Harsheen Madon and Bahraiz Irani I/b M/s Sagar Associates for Respondents.

CORAM : B.P. COLABAWALLA, J.

DATE : 13th DECEMBER, 2018

P.C.:

1. This Chamber Summons has been filed seeking an amendment of the Petition as per schedule annexed to the Chamber Summons. This Chamber Summons is necessitated in view of the fact that the original

Petitioner – TechProcess Payment Services Ltd. has merged with another Company called E-Billing Solutions Pvt.Ltd. pursuant to a scheme of amalgamation that was sanctioned on 8th October 2018 by the National Company Law Tribunal, Mumbai.

2. Mr Ardeshir, learned counsel appearing on behalf of the Respondents states on instructions that he has no objection if this Chamber Summons is allowed. He, however, states that all rights and contentions of the Respondents be kept open in the proceedings, either filed or to be filed, between the parties including the right of the Respondents to challenge the amalgamation that has been sanctioned on 8th October 2018 by the National Company Law Tribunal.

3. Keeping all contentions of the Respondent open in all proceedings already filed or to be filed, the Chamber Summons is allowed in terms of prayer clauses (a) and (b). Amendment to be carried out within a period of one week from today.

4. Chamber Summons is disposed of in the aforesaid terms. However, there shall be no order as to costs.

(B. P. COLABAWALLA, J.)