

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 1373 OF 2018
IN
COUNTER-CLAIM NO. 19 OF 2011
IN
SUIT NO. 3572 OF 2006**

Pharma ...Plaintiff
Versus
Richardson and Cruddas & Ors ...Defendants

**AND
CHAMBER SUMMONS (L) NO. 1741 OF 2018
IN
SUIT NO. 3572 OF 2006
AND
CHAMBER SUMMONS (L) NO. 1771 OF 2018
IN
SUIT NO. 3572 OF 2006**

Mr JP Sen, Senior Advocate, with Deepti Panda & Dhvani Bokaria,
*i/b M/s. Purnanand & Co., for the Plaintiff & Applicant in
CHSL/1741 of 2018 & CHSL/1771 of 2018.*

**Mr Nitin Thakkar, Senior Advocate, with ZA Jariwala, i/b Dua
Associates, for the Plaintiff in Counter-claim (original Defendant
No. 4) & Applicant in CHS/1373 of 2018.**

Mr Girish Godbole, i/b Nitin Mulye, for Defendant No. 3.

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

PC:-

CHAMBER SUMMONS NO. 1373 OF 2018

1. The Chamber Summons is allowed in terms of prayer clause (a) in view of the averments in the Affidavit in Support and elaborate submissions by Mr Thakkar made on behalf of the Applicant.
2. Amendment to be carried out within two weeks from today.
3. The Chamber Summons is disposed of accordingly. No costs.

CHAMBER SUMMONS (L) NO. 1741 OF 2018

4. The Chamber Summons is dismissed as withdrawn at the request of the learned Advocate for the Applicant. No costs.

CHAMBER SUMMONS (L) NO. 1771 OF 2018

5. Not on board. By consent, taken on board.
6. The Affidavit in Reply is taken on file. The Chamber Summons seeks an amendment to the plaint. I will permit the amendment sought only in regard to the title to the property and the proposed amendment to paragraphs 27(jj) and 27(kk). The proposed amendment to paragraph 27(ll) is entirely unnecessary. It

is a legal submission that can be taken at any time. All contentions are left open.

7. All amendment to be carried out within two weeks from today.

8. Additional Written Statement and Written Statement to the Counter-claim, if any, are to be filed and served on or before 28th January 2019.

(G. S. PATEL, J)