

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**APPEAL FROM ORDER NO. 189 OF 2019
WITH
CIVIL APPLICATION NO. 228 OF 2019**

Electronica India Limited	... Appellant
V/s.	
Electronica Hitech Machine Tools Pvt. Ltd.	... Respondent

Dr. V. Tulzapurkar, Senior Advocate a/w Mr. Hiten Kamod a/w Mr. Subhashish Gupta, Mr Rhishikesh Bidkar, Ms. Rajashree Ram and ms. Suchita Uppal I/b Hirani and Co. for the Appellant/Applicant.

Mr. Sanjay Kher a/w Aditya Chitale, Ameet Belge, Shraddha Birwadkar and Priyanka Ribeiro I/b RKD Legal Services LLP for the Respondent.

**CORAM : K. K. TATED, J.
DATE : 05/04/2019**

P.C.:

. Heard.

2 After arguing for some time, both the Counsel placed on record the Minutes of Order dated 05.04.2019 duly signed by Advocate for the Appellant as well as Respondent. Same is taken on record and marked "X" for identification. Same is accepted. Minutes of Order reads thus:

"MINUTES OF THE ORDER"

1. *The Impugned Order dated 22 February 2019 is set aside and the matter, i.e. Exhibit 5, is remanded to the Trial Court for fresh consideration.*
2. *The Respondent's Application for amendment to the Plaint, presently pending before the Trial Court, shall be decided within 4*

weeks from the date on which an authenticated copy of this Order is produced before the Trial Court.

- 3. The parties shall complete the pleadings in the Amendment Applications mentioned in Clause 2 above, within a period of 2 weeks from today.*
- 4. The parties are at liberty to file additional pleadings and documents in the Exhibit 5 Application within a period of 4 weeks from the date of disposal of the Amendment Applications mentioned in Clause 2, above.*
- 5. The Trial Judge shall decide the remanded Exhibit 5 Application within a period of 6 weeks after the expiry of the date for filing additional pleadings and documents mentioned in Clause 4, above.*
- 6. The Trial Judge will decide the Contempt Application No. 344 of 2019 on its own merits.*
- 7. The Trial Judge will decide the Exhibit 5 Application without reference to the Impugned Order mentioned in Clause 1 above and without being influenced by this Order.*
- 8. The Appeal from Order No. 189 of 2019 stands disposed of in terms of this Order and the Civil Application therein stands dismissed in view of the disposal of the Appeal from Order No. 189 of 2019.*
- 9. All contentions of the parties are kept open.*
- 10. No order as to costs.”*

3 In view of Minutes of Order, Appeal from Order as well as Civil Application stand disposed of accordingly.

4 Parties to act on authenticated copy of this order.

(K.K.TATED, J.)