

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.1624/2014
in
First Appeal No.1118/2013

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Ms. Savita Ganoo a/w. Priyanka I/b. TRD Associates for the Applicant Mr. Mihir Mody a/w. Dhaval Patil I/b. M/s. K. Ashar & Co. for Respondent No.3.	

CORAM : K.K.TATED, J.
DATED : JUNE 3, 2019

P.C.

1 Heard. The learned counsel for the Applicant submits that they have already served the proposed Respondent by private notice and filed Affidavit of service to that effect. The statement is accepted.

2 In spite of service, none appeared for the proposed Respondents.

3 The learned counsel for the Applicant submits that in view of subsequent development, they filed the present Civil Application for bringing the proposed Respondent on record in the First Appeal.

He submits that during pendency of the present proceedings, Respondent No.4 New Bank of India has been merged with the Punjab National Bank and Respondent No.7 Bank of Madurai Ltd has been merged with the ICICI Bank. Therefore, it is necessary to bring the proposed Respondent No.1 on record.

4 Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

5 Hence, the following order is passed:

a. The Civil Application is allowed in terms of prayer clauses (a) and (b) which read thus:

“(a) That proposed Respondent No.1, Punjab National Bank be substituted in place of Respondent No.4, New Bank of India and proposed Respondent No.2, ICICI Bank Ltd. be substituted in place of Bank of Madurai Ltd. in First Appeal No.1118/2013 as well as Civil Application No.3205/2013.

(b) That leave be granted to the Applicant to carry out the amendments in the papers and

*proceedings in First Appeal No.1118/2013 as well as Civil Application No.3205/2013; as per schedule annexed hereto and marked **Exhibit-4.**"*

b. Amendment to be carried out on or before 29.06.2019, failing which the Civil Application shall stand dismissed without further reference to the court.

c. The Applicant is directed to provide an amended copy of the First Appeal to the Respondent or their advocate immediately thereafter.

d. If amendment is carried out within stipulated time as stated hereinabove, office to issue notice to the added Respondent in the First Appeal.

e. Civil Application stands disposed of accordingly.

(K.K.TATED, J.)