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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****APPEAL FROM ORDER NO. 15 OF 2016****WITH****CIVIL APPLICATION NO. 21 OF 2016****WITH****CIVIL APPLICATION NO. 638 OF 2017**

Mrs. Rita Chandermohan Khanna

.....Applicants

V/s.

Mrs. Shila Gupta Alias Sushila Gupta
and another

.....Respondents

Mr. Nawaz Haindaday i/b Mr. Arshad Haindaday for applicants
Mr. Rayish A. Mishra i/b Mr. Vijay Dhingreja for respondent**CORAM : K. K. TATED, J.****DATE : APRIL 2, 2019.****P.C.**

Heard the learned counsel for the parties. Twice the matter was adjourned at the request of Advocate for the appellant to satisfy under which provisions, respondent filed Chamber Summons in S.C. Suit No 2616 of 2013. He is unable to answer this question.

2 Bare reading of the Chamber Summons shows that the said Chamber Summons filed by the respondent under Order VI Rule 17 of the Code of Civil Procedure, 1908 for carrying out amendment in the plaint. Hence, present Appeal from Order is not maintainable under Order 43 of the Code of Civil Procedure, 1908. Therefore, Appeal from Order stands rejected.

3 In view of rejection of Appeal from Order, nothing survive in Civil Application Nos. 21 of 2016 and 638 of 2017, they stand dispose of accordingly.

[K. K. TATED, J.]