

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS (Lodging) No. 203 of 2019.

IN

SUIT No.65 of 2013.

Krona Realties Private Limited ..Applicant.

In the matter between :-

Krona Realties Private Limited ..Plaintiff.

Vs

Esqu Finmark Private Limited & Ors ..Defendants.

Ms Prachi Dhanani i/by Veritas Legal for the Applicant/Plaintiff.

Mr. Rashmin Jain i/by Kanga & Co. for Defendant No.1.

Mr. Prateek Sekseria a/with Mr. Shlok Parekh, Mr. Nivit
Srivasa, Ms. Hiral Vora for Defendant No.2 in Suit No. 65 of
2013.

CORAM : B. P. COLABAWALLA, J.

DATED :- 28th February, 2019.

P.C. :

1. This chamber summons has been filed seeking an amendment of the plaint as per the schedule annexed to the chamber summons. This chamber summons has been necessitated in view of the fact that the plaintiff-Company was amalgamated with the another company called 'Sarvasva Buildtech & Farms Private Limited'. 'Sarvasva Buildtech & Farms Private Limited'

was thereafter amalgamated with 'Lodha Developers Private Limited', which was then converted into a public limited company and the name was changed to 'Lodha Developers Limited'. It is in these circumstances that the amendment is sought.

2. Having heard Mr. Seksearia, the learned Counsel appearing on behalf of defendant No.2 and Mr. Jain for defendant No.1, I find that in view of the subsequent developments the amendment is necessitated and accordingly the same needs to be allowed. Accordingly, the chamber summons is granted in terms of prayer clauses (a) and (b) which reads thus :-

(a) That this Hon'ble Court be pleased to allow the captioned Chamber Summons;

(b) That the applicant be allowed to amend the captioned Suit in terms of the Schedule hereto;

3. The amendment to be carried out within a period of one week from today and an amended copy of the plaint be served on the Advocates for the defendant Nos.1 and 2. As far as defendant No.3 (a) and (b) are concerned, no appearance has been filed on their behalf and therefore the amended plaint shall be served on

them personally.

4. The Chamber Summons is disposed of in the aforesaid terms. No order as to costs.

(B.P. COLABAWALLA, J.)