

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY AND ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION (L) NO.392 OF 2019
WITH
CHAMBER SUMMONS (L) NO.352 OF 2019
IN
SUIT NO.353 OF 2019**

Priya Amol KapadiaApplicant/Plaintiff

Vs.

Anand Swarup Mehta and Anr.Defendants

Mr. Dinyar Madon, senior advocate a/w. Mr. Sharan Jagtiani, Mr. Nirman Sharma, Mr. G.B. Kedia, Mr. Manoj Agre and Mr. Harsh Behany I/b. Mr. Girish B. Kedia for applicant/plaintiff.

Mr. Mikhail Behl a/w. Ms. Cathrine Fernandes I/b. Deven Dwarkadas and Partners for defendant nos.1 and 2.

CORAM : K.R.SHRIRAM, J.

DATE : 5th MARCH 2019

P.C.:

CHAMBER SUMMONS (L) NO.352 OF 2019

1 This chamber summons is for leave to amend the plaint to bring on record certain developments post filing the suit. Even writ of summons is yet to be served.

2 I have also considered the proposed amendment and it does not change the nature and character of the suit. Therefore, chamber summons is allowed and accordingly disposed in terms of prayer clause – (a).

3 Mr. Behl states that his instructing advocates will file Vakalatnama on behalf of defendant nos.1 and 2 and also waives service of the writ of summons.

4 Mr. Madon states that since parties are also exploring settlement, the 30 days to file written statement can commence after the next date of hearing.

5 Therefore, time to file written statement and serve a copy thereof granted upto and including 4th May 2019.

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Stand over to 8th April 2019. In the meanwhile, all office objections in the notice of motion and suit to be removed and notice of motion and suit to be numbered.

(K.R. SHRIRAM, J.)