

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

CHAMBER SUMMONS NO.331 OF 2018

AND

NOTICE OF MOTION NO.1401 OF 2017

IN

SUIT NO.501 OF 2017

Allan Alexander Pereira & Ors.)....Applicants/Plaintiffs

V/s.

Ashwin Fernandes & Ors.)....Defendants

Mr.A.L.Thakker I/by M/s.Thakkar and Co. for plaintiffs/applicants.

None for defendants.

CORAM : K.R.SHRIRAM,J

DATE : 14.1.2019

P.C.:-

1. Mr.Thakker appearing for the applicants states that Chamber summons has been served on defendants as well as respondents and relies upon one affidavit of one Ketan Lakum affirmed on 3.12.2018. The affidavit of service is not available on record. Mr.Thakker tenders a photo copy of the same which is taken on record.

2. No affidavit in reply has been filed opposing the Chamber summons. Therefore, Chamber summons is allowed in terms of prayer

clause-(b). The amendment to be carried out as per the schedule annexed to the Chamber summons except the consequential amendment which is mentioned in (VI) which is bracketed in red ink. Chamber summons accordingly disposed. Amendment to be carried out and Plaint and Notice of Motion to be served upon defendants as well as newly added defendants within 3 weeks from today.

3. Affidavit in reply to the Notice of Motion to be filed within 2 weeks of receiving the amended copy of the Notice of Motion. Rejoinder if any, to be filed within one week thereafter. Notice of Motion be listed for hearing on 26.2.2019.

(K.R.SHRIRAM,J)