

jsn

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

**LEAVE PETITION NO.119 OF 2019
IN
SUMMARY SUIT (L) NO.653 OF 2019**

I L And FS Financial Services Ltd.

... Petitioner /
Plaintiff

V/s.

Skil-Himachal Infrastructure and Tourism Ltd.
Ors.

... Defendants

Dhruti D. Doctor, i/b Manilal Kher Ambalal & Co. for the Petitioners
/ Plaintiff.

CORAM: R. I. CHAGLA, J.
DATE: 3RD JULY, 2019.

PC:-

1. This Petition seeking leave under the provisions of Order - II Rule 2(3) of the Code of Civil Procedure, 1908 to be granted to the Petitioner to omit to sue the Respondents and / or any other person / party in their capacity as the Pledgors and / or Security providers, respectively for its claim against each of them and the Petitioner reserves its right to seek further reliefs, remedies and adopt appropriate proceedings, if so required in law, which are arising out of the cause of action including enforcing the securities and for damages and losses caused to the Petitioner for which the Petitioner omits to sue in respect of the above Commercial

Summary Suit. I am satisfied that the Petitioner has made out a case under the provisions of Order - II Rule 2(3) of the Code of Civil Procedure, 1908 as averred by the Petitioner in paragraph 5 of the Petition.

2. Accordingly, the Petition is made absolute in terms of prayer clause (a).

(R I. CHAGLA, J.)