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S. Ladda

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS (L) No. 795 OF 2019
IN
SUIT No. 1010 of 2012.

K.A. Malle Pharmaceuticals Ltd. ..Plaintiff.

Vs

The Pen Co-op.Urban Bank Ltd. ..Defendant.

Mr. Advait M. Sethna a/with Mr. Mohd. Naved I. Mulla i/by M/s
Udaipuri & Co. for the plaintiff.

Mr. Kirit J. Hakani for the defendant.

CORAM : B.P. COLABAWALLA, J.
DATED :- 27th SEPTEMBER, 2019.

P.C. :-

1. The present Chamber Summons has been filed seeking amendment of the plaint as per the Schedule annexed thereto. It is not in dispute that the trial of the Suit has not yet commenced. After hearing the learned Advocate appearing on behalf of the plaintiff as well as for the Administrator of the defendant bank and for the reasons stated in the affidavit in support of the Chamber Summons, the same is allowed in terms of prayer clause (a) which reads thus :-

(a) “That the plaint and the proceedings in the above

suit be allowed to be amended in terms of the Schedule, which is annexed to this Chamber Summons;”

2. The amendment shall be carried out within a period of two weeks from today and the amended copy of the plaint shall be served on the Advocates appearing for the Administrator of the defendant bank within a period of two weeks thereafter. The defendant bank through its Administrator shall be at liberty to file an additional written statement within a period of four weeks from the date of service of the amended copy of the plaint.

3. The Chamber Summons is accordingly disposed of. No order as to costs.

(B.P. COLABAWALLA, J.)