

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

**COMMERCIAL NOTICE OF MOTION (L) NO.1144 OF 2018
WITH
COMMERCIAL CHAMBER SUMMONS (L) NO.840 OF 2018
IN
COMMERCIAL SUIT (L) NO.638 OF 2018**

Ramnik Narayn Dodia and Ors.Plaintiffs

Vs.

Shanti Sagar Realty India Pvt. Ltd. & Ors.Defendants

Mr. Shardul Singh a/w. Ms. Neha Joshi I/b. Vidhii Partners for plaintiffs and applicants in NMCDL/1144/2018.

Mr. Ankit Lohia I/b. Ms. Nilam S. Pawar for applicant in CHSCDL/840/2018 (Proposed defendant no.7).

CORAM : K.R.SHRIRAM, J.

DATE : 8th JULY 2019

P.C.:

COMMERCIAL CHAMBER SUMMONS (L) NO.840 OF 2018

1 This chamber summons is taken out by applicant to implead applicant as party defendant to the suit. Mr. Lohia states that though the prayer clause simply states “party”, what applicant really means is to be joined as "party defendant".

2 Mr. Lohia, on instructions, states that defendants have been served and undertakes to file an affidavit of service. I have to also note that reference to this chamber summons can also be found in an order dated 9th July 2018 when the main contesting defendant nos.1 to 3 and 6 were

represented by advocates. Mr. Singh, counsel for plaintiffs has no objection to adding applicant as party defendant.

3 Therefore, chamber summons is allowed and accordingly disposed in terms of prayer clauses – (a) and (b).

4 Plaintiffs to add applicant as defendant no.8 in the cause title. Plaintiffs are also at liberty to add in the plaint the required amendments to explain how applicant has been added as defendant no.8.

5 Amendment to be carried out and copy of the amended plaint and notice of motion to be served within two weeks from today.

6 Mr. Lohia waives service of the writ of summons.

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7 Mr. Singh states that there are some blanks in the prayer clause and some typographical errors in the title and seeks leave to carry out the corrections/fill up the blanks.

8 Leave granted. The same to be carried out before the next date.

9 Stand over to 15th July 2019.

10 Within one week from today, all office objections in the notice of motion and suit to be removed and notice of motion and suit to be numbered, failing which the notice of motion and suit will get dismissed without further reference to this Court.

(K.R. SHRIRAM, J.)