

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS IN
COMMERCIAL DIVISION MATTER NO. 11 OF 2017
IN
COMMERCIAL SUIT NO. 95 OF 2016

Sanjay Shashikant Dodia & Ors. Applicants

IN THE MATTER BETWEEN

**Shree Jaya Building Premises Co-operative
Society Ltd. Plaintiff**

VERSUS

M/s.Universal Builders & Developers & Ors. Defendants

Mr.Rohan Cama, a/w. Mr.Nilesh Gala, Mr.Kunal Kanungoo, i/b.
Cogito Legal for the Plaintiff/Petitioner.

Ms.Sayli Apte, i/b. Mr.P.G.Lad for MHADA.

Mr.R.Y.Sirsikar for BMC.

Dr.Birendra Saraf, a/w. Mr.Chirag Kamgar, Mr.Michael Saldanha,
Mr.Sujit S. Suryawanshi, i/b. Vigil Juris for the Defendant nos. 1 to 3.

Ms.Jyoti Chavan, A.G.P. for the State.

Mr.Himanshu Kode for the Applicant.

CORAM : R.D. DHANUKA, J.

DATE : 31st JANUARY, 2019

P.C.

By this chamber summons the applicants seek their impleadment
in the suit filed by the plaintiff society.

2. Mr.Cama, learned counsel appearing for the plaintiff on instruction states that his client has no objection if the applicants to this chamber summons are impleaded as defendant nos. 41 to 43 without accepting the allegations in the affidavit in support of the chamber summons. Statement is accepted. Chamber summons is accordingly made absolute in terms of prayer clause (a). No order as to costs.

3. It is made clear that merely because the chamber summons is allowed as prayed, the plaintiff has not accepted any of the allegations made in the affidavit in support of the chamber summons.

4. Amendment to be carried out within two weeks from today. Amended copy of the plaint shall be served upon the defendants as well as the newly added parties within one week from the date of carrying out amendment.

5. It is made clear that the plaintiff is permitted also to carry out consequential amendment in the plaint and also in the pending interlocutory proceedings.

6. The newly added parties are permitted to file written statement within four weeks from the date of service of the amended copy of the plaint with a copy thereof to be served upon the plaintiff's advocate simultaneously.

[R.D. DHANUKA, J.]