

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

CHAMBER SUMMONS NO.847 OF 2019

IN

SUIT NO.819 OF 2013

Paras Shantilal Porwal And Ors. ...Applicants
(Orig. Plaintiffs)

IN THE MATTER BETWEEN

Paras Shantilal Porwal And Ors. ...Plaintiffs

V/S.

Rohan Developers Pvt. Ltd. And Ors. ... Defendants

And

Macrotech Developers Ltd. ...Respondents

Ms. Neeta Solanki a/w. Ms. Pooja Jain i/b. Kiran Jain & Co. for
Plaintiffs / Applicants to Chamber Summons.

Mr. Sidharth Samantaray a/w. Mr. Rishabh Ranka i/b. Kanga &
Co. for Defendant Nos.1 to 4 & 8.

Mr. Cyrus Ardeshir a/w. Ms. Nikita Panse i/b. Veritas Legal for
Defendant Nos. 5 to 7.

CORAM : B. P. COLABAWALLA, J.

DATED : 31st July, 2019.

P.C.

1. This Chamber Summons has been filed by the
Applicants – Original Plaintiffs seeking amendment of the plaint
in terms of the schedule annexed and marked as Exhibit “A”

thereto. This amendment is necessitated, in view of the fact that Defendant Nos. 5 and 7 have merged into Defendant No.6 and thereafter the name of Defendant No.6 has been changed to Macrotech Developers Limited. Considering that this is formal amendment, the Chamber Summons is allowed in terms of prayer Clause (a) which read thus:

- (a). That the Plaintiffs be permitted to amend the Plaint and the pending Notice of Motion No.1726/2015 as per Schedule annexed hereto and marked **Exhibit "A"**.

2. Amendment shall be carried out in the plaint as well as in all other pending proceedings within a period of two weeks from today and the amended copy of the plaint as well as all pending proceedings shall be served on the Advocates for the Defendants within a period of two weeks thereafter. Once the amended plaint and proceedings are served on the Defendants, they shall be at liberty to file an Affidavit-in-reply in the interim proceedings within a period of two weeks from the date of service of the aforesaid amended interim proceedings on the Defendants.

3. The Chamber Summons is disposed of in the aforesaid terms. No order as to costs.

4. The learned Advocate appearing on behalf of the Plaintiff has stated before me that the entire papers and proceedings of the above Suit have been misplaced by the Advocate for the Plaintiffs. She, therefore, seeks leave to make a copy of the entire papers and proceedings in the present Suit from the record of the Court. It is accordingly so ordered subject to payment of necessary copying charges which shall be borne by the Plaintiffs.

(B. P. COLABAWALLA, J.)