

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION
ADMIRALTY & VICE ADMIRALTY JURISDICTION

CHAMBER SUMMONS NO.948 OF 2019
IN
ADMIRALTY SUIT NO.64 OF 2015

Khakhra Marine Transport)....Applicant/Plaintiff

V/s.

m.v.Labitra Carmel & Ors.)....Defendants

Mr.Kunal Gaikwad for applicant/plaintiff.

None for defendants.

CORAM : K.R.SHRIRAM,J

DATE : 19.11.2019

P.C.:-

1. This is a Chamber summons for leave to amend the plaint. After the order of 5.11.2019, Mr.Gaikwad for applicant states that his amendment application will be restricted only to item-1 and item-3 in the schedule and rest of the amendments he is withdrawing. In effect, Mr.Gaikwad states that applicant does not wish to add the sale proceeds of M.V.Betul and M.T. AL-NIMS as party defendants. Mr.Gaikwad states that once a decree is obtained, plaintiff will take all steps in accordance with law to recover the decretal amount including proceeding against the sale proceeds of M.V.Betul and M.T.AL-NIMS. It is open to plaintiff to take such steps as advised.

2. Having considered the prayers sought i.e., item-1 and item-3 to schedule-A, I see no prejudice will be caused to any party because suit itself is filed in the name of the sole proprietor. Therefore, leave to amend granted. Amendment to be carried out within two weeks.

Chamber summons disposed.

(K.R.SHRIRAM,J)