

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 1797 OF 2016
IN
SUIT NO. 497 OF 2016

Millaya Embroidery Private Limited Applicant

IN THE MATTER BETWEEN

Millaya Embroidery Private Limited Plaintiff

VERSUS

Stichmantra Stichlab Private Limited & Anr. Defendants

AND

Mr. Shanu Mirza (alias Shozeb Mirza) Respondent

Mr. Priyank Kapadia, a/w. Ms. Akshita Palvia, i/b. M. Mulla Associates
for the Plaintiffs.

Mr. Vikram Singh Parmar, i/b. Mr. Kedar Patil for the Defendant nos. 1
and 2.

CORAM : R.D. DHANUKA, J.

DATE : 11th JANUARY, 2019

P.C.

Learned counsel appearing for the applicant (original plaintiff) states that all the defendants including proposed defendants have been served. None appeared for the proposed defendants. I have heard learned counsel for the applicant. I have perused the affidavit in support of the chamber summons. Chamber summons is filed in the year 2016. Suit is filed in the year 2016. For the reasons recorded in the affidavit in support of the chamber summons, the applicant has made out a case for impleadment of the proposed defendant as defendant no.3. Chamber summons is accordingly made absolute in

terms of prayer clause (a).

2. The issue of limitation, if any, is kept open. Amendment to be carried out within two weeks from today. A copy thereof shall be served upon the defendants' advocate including newly added defendant within two weeks from the date of carrying out amendment.

3. If the parties have not filed written statement, the written statement shall be filed in the amended copy of the plaint within eight weeks from the date of service of the amended plaint. A copy thereof shall be served upon the applicant's advocate simultaneously. No order as to costs.

[R.D. DHANUKA, J.]