

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

CHAMBER SUMMONS NO. 18 OF 2019
IN
SUIT NO. 300 OF 2013

Ajay Piramal and Others ..Plaintiffs/Applicants
V/S.
Aleya S. Chinmulgund and Others ..Defendants

Mr. Akshay Doctor a/w. Mr. Arman Arora I/b. Desai & Diwanji,
Advocate for the Applicants / Plaintiffs.

Mr. Rajiv Kumar, Senior Advocate I/b. Nityoah Suneel and
Associates, for Defendant No.1.

Mr. Priyank Kapadia a/w. Ms. Mahafrin Mehta i/b. M. Mulla
Associates for Defendant No. 3 in NMS No.896/2013 in Suit
No.300/2013.

Mr. Kunal Mehta & Mr. Himanshu V. Pradhan, Counsel i/b. M/s.
Crawford Bayley and Co., for Respondent No. 17 in NMS
No.896/2013.

CORAM : B. P. COLABAWALLA, J.
DATED : 11th July, 2019.

P.C.

1. This Chamber Summons has been filed by the
Applicants / Plaintiffs to amend the plaint in terms of Schedule-
“A” annexed to the Chamber Summons. The learned Advocate

appearing on behalf of the Applicants / Plaintiffs stated that the Plaintiffs are the executor of the Will of the deceased – Late Dr. Kalyan Sundar Basu. Plaintiff No. 3 has expired, and therefore, the name of Plaintiff No. 3 be deleted from the cause title. The learned Advocate, thereafter, submits that there are certain other facts that need to be brought on record as more particularly set out in Paragraphs 20-A and 20-B in the Schedule to the Chamber Summons.

2. This Chamber Summons was opposed by Defendant No.1. After hearing the Advocate for the Plaintiffs and Mr. Kumar, learned Senior Counsel on behalf of Defendant No.1, I do not think that there is any impediment in allowing the amendment sought for in the present Chamber Summons. In these circumstances, the Chamber Summons is allowed in terms of prayer clauses (a) and (b) which read thus:-

- (a) Liberty be given to the Applicant / Plaintiffs to amend the Plaint in the above suit in terms of the Schedule annexed hereto;
- (b). That the Applicants / Plaintiffs be permitted/leave to carry out such consequential amendments in the Plaint and the proceedings, as may be necessary and required to fully and completely effectuate the amendments as

proposed in the Schedule hereto;

3. The amendments shall be carried out within a period of two weeks from today and the amended copy of the plaint shall be served on all the Defendants within a period of two weeks thereafter. Once the amended copy of the plaint is served upon the Defendants, they shall have the liberty to file a written statement, if any, within a period of two weeks thereafter. The Chamber Summons is disposed of in the aforesaid terms. No order as to costs.

4. List the Suit on board on 08.08.2019.

(B. P. COLABAWALLA, J.)