

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

**SUIT NO. 667 OF 2015
ALONG WITH
INTERIM APPLICATION NO. 1 OF 2020
IN
SUIT NO. 667 OF 2015**

Rajendra Kapurchand Shah

.. Plaintiff

Vs.

Shubh Enterprises

& 2 Ors.

.. Defendants

Mr.Zain Mookhi a/w. Ms. Sneha Patil i/b Maniar Srrivastava
Associates for plaintiff.

CORAM : N.J. JAMADAR, J.

DATE : 6TH MARCH 2020

P.C.

INTERIM APPLICATION NO. 1 OF 2020

1. This interim application is taken out by the plaintiff to amend the plaint so as to delete prayer clauses (a), (c) and (d) in paragraph 12 of the plaint.

2. None appeared for the defendants and the suit, by the order dated 22nd September 2017, has been directed to be transferred to the list of undefended suits on account of the failure of the defendants to file written statement. In paragraph 12, in terms of prayer clauses (a),

(c) and (d) of the plaint, the plaintiff has sought reliefs which may impinge upon the rights of the parties who are not impleaded as party defendants to the suit.

3. The plaintiff now proposes to delete those prayers. The proposed amendment will not cause any prejudice to the defendants. Nor it will change the nature of the suit.

4. Hence, the application stands allowed in terms of payer clause (a). The plaintiff shall carry out the necessary amendment in the plaint in accordance with the Schedule appended to the application within a period of two weeks.

Re-verification dispensed with.

5. List the matter on 20th March 2020.

[N.J. JAMADAR, J.]