

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

IN ITS COMMERCIAL DIVISION

CHAMBER SUMMONS NO. 381 OF 2018

IN

THIRD PARTY NOTICE NO. 3 OF 2013

IN

COMMERCIAL SUMMARY SUIT NO. 14 OF 2011

Union Bank of India

.. Applicant

In the matter between :

The Board of Control for Cricket
in India

.. Plaintiff

Vs.

Indian Bank

.. Defendant

And

The Official Liquidator of
Nimbus Communications Limited
(In Liqn.)

.. Respondent

Mr.Rafique Dada, Senior Counsel a/w. Mr.Aditya Mehta, Adv. Manasvi Nandu, Adv. Swagata Ghosh i/b. Cyril Amarchand Mangaldas for plaintiff.

Mr.Prakash Shinde a/w. Ms. Niyati Merchant I/b. MDP & Partners for applicant/original defendant.

CORAM : N.J. JAMADAR, J.

DATE : 6TH MARCH 2020

P.C.

1. This chamber summons, though not listed today, with the consent of the learned counsels for the parties, taken up for hearing.

2. The learned counsel for the applicant submit that the applicant

has obtained the leave from the Company Court.

3. This chamber summons is taken out by the original defendant to amend the third party notice so as to bring on record the official liquidator appointed in respect of Nimbus Communication Limited pursuant to the order passed by the Company Judge in Company Petition No.340 of 2014 on 1st March 2018. Copy of the order dated 1st March 2018 is annexed to the chamber summons.

4. For the reasons assigned in the affidavit in support of the chamber summons and the order dated 1st March 2018 passed by the learned Company Judge in Company Petition No.340 of 2014, the chamber summons stands allowed in terms of prayer clause (a) only. Necessary amendment be carried out in the third party notice within a period of three weeks.

5. The official liquidator be served within a period of three weeks thereafter.

6. The chamber summons stands disposed of.

7. List the suit on 15th April 2020 for marking of documents.

[N.J. JAMADAR, J.]