

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 521 OF 2018
IN
SUIT NO. 985 OF 2006**

Sangam (India) Ltd.	...Applicant
In the matter between	
Sangam (India) Ltd. & anr.	...Plaintiffs
Versus	
Biren Navinchandra Shah & ors.	...Defendants

Mr. V. V. Khemka, for the Plaintiffs.
Ms. Sarika Mehra, i/b L. J. Law, for Defendant no.1.
Mr. Shahzad Khajotia, i/b Mr. Yatin Shah, for Defendant no.2.

**CORAM: N. J. JAMADAR, J.
DATED : 14th JANUARY, 2020**

PC:-

1. Heard the learned Counsels for the parties.
2. This Chamber Summons is taken out to recast the issues framed by this Court on 6th June, 2016.
3. The learned Counsel for the defendants have no objection to recast the issues as proposed by the plaintiffs in the Schedule of amendment appended to the Chamber Summons. Upon perusal of the pleadings of the parties the amendment proposed in the issues seems necessary and the issues as proposed by the plaintiffs arise for determination.
4. Hence, the Chamber Summons is made absolute in terms of prayer clause (a).

5. An additional issue being issue no.6A be framed as proposed.
6. The issue no.7 be recast as proposed.
7. The recast issues thus read as under:

: Recast Issues :

- 6A) If the answer to issue No.6 is in the negative, then whether the Plaintiffs are entitled to decree in the sum of Rs.3,38,47,114/- as and by way of damages along with interest @ 14% p.a. from the date of filing of the suit till realisation as per particulars of claim being 'Exhibit-Y' to the plaint?
- 7) Whether the plaintiffs are entitled to a decree in the sum of Rs.91,29,503/- towards the outstanding amount mentioned in the MOU alongwith interest @ 14% p.a. from the date of filing of the suit till realisation as per particulars of claim being Exhibit 'X' to the plaint?
8. The Chamber Summons stands disposed of.

[N. J. JAMADAR, J.]