

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
[COMMERCIAL DIVISION]

INTERIM APPLICATION NO.274 OF 2021
IN
COMMERCIAL SUIT NO.223 OF 2019

Rakesh Agarwal	.. Applicant-Plaintiff
Vs.	
Nakta Investment Pvt. Ltd. and Ors.	.. Defendants
And	
Surangi Agarwala	.. Respondent

Ms. Jyotsana Kondhalkar for the Applicant-Plaintiff.

Mr. Bhavin Gada, i/by Vinod Mistry & Co., for Defendant Nos.1 to 5.

Mr. Sayeed Mulani, i/by Mulani & Co., for the Respondent-Proposed Defendant.

CORAM : A. K. MENON, J.
DATED : 16TH MARCH 2021.

P.C. :

1. By this IA, the applicant-plaintiff seeks to implead the respondent, who is a purchaser of a commercial unit, which is claimed by the plaintiff. On behalf of the respondent, the learned counsel has no objection to be so being impleaded.

2. Accordingly, by consent, I pass the following order :-

(i) By consent, IA is made absolute in terms of prayer
clause (a). Amendment is allowed in the plaint and IA

filed, if any. Amendment to be carried out within a period of two weeks from today. Re-verification is dispensed with.

- (ii) Needless to mention, this court has not examined merits of the contentions of the plaintiff and that is the matter to be considered at the appropriate time.
- (iii) On behalf of the newly added defendant no.6, learned counsel, on instructions, waives service of writ of summons.
- (iv) Accordingly, written statement to be filed as permitted.

(A. K. MENON, J.)