

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
COURT RECEIVER'S REPORT NO. 17 OF 2021
IN
COMMERCIAL SUIT NO. 1402 OF 2018
AND
CHAMBER SUMMONS NO. 1031 OF 2019**

Saidammadath Narukkindath Abdul Kareem ...Plaintiff
Versus
Pradeep S Dixit & Ors ...Defendants

Mr Bhavin Gada, *i/b Nandu Gole, for the Applicant in CHS/
1031/2019.*

Mr Rajesh Singh, *for the Defendants.*

Mr Mutahhar Khan, *i/b Mohamed Rehan Chhapra, for the Plaintiff.*

Mr DN Kher, *Court Receiver present.*

CORAM: G.S. PATEL, J
(Through Video Conferencing)
DATED: 11th August 2021

**SHEPHALI
SANJAY
MORMARE**

PC:-

Digitally signed by
SHEPHALI SANJAY
MORMARE

Date: 2021.08.12
10:42:07 +0530

- 1.** Court Receiver's Report No. 307 of 2021 is taken on file.
Compliance with the order of 12th July 2021 is reported and noted.

2. The Reply of Defendants Nos. 1 and 2 to the Chamber Summons No. 1031 of 2019 is taken on record. The Chamber Summons is by one Malvika Herbopharma Pvt Ltd seeking to be impleaded since it claims rights over the same premises of which the Receiver was appointed. I will allow the Chamber Summons for impleadement in the Suit. However, Malvika Herbopharma Pvt Ltd wants several previous orders to be vacated. For that, Malvika Herbopharma Pvt Ltd will have to file an appropriate Interim Application and serve it on the Plaintiff and the other Defendants.

3. The Plaintiff will amend the cause title of the Suit to show Malvika Herbopharma Pvt Ltd as Defendant No. 4. Amendment to be carried out forthwith in Court or, at any rate, on or before 18th August 2021. Re-verification is dispensed with. Service of amended Plaintiff on the Defendants is not necessary in view of this order.

4. The Chamber Summons is disposed of in these terms.

5. The amendment is prospective and will not relate back to the institution of the Suit.

6. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production of a digitally signed copy of this order.

(G. S. PATEL, J)