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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION NO. 342 OF 2021
IN
COMMERCIAL SUIT NO. 14 OF 2021
WITH
INTERIM APPLICATION NO. 1382 OF 2021**

RT Advisory Services LLP & Anr	...Plaintiffs
<i>Versus</i>	
Sardesai Engineering Private Limited & Ors	...Defendants

Mr Karl Tamboly, *with Siddhesh Bhole, Aman Kacheria, Rishabh Dhanuka, & Srishti Joshi, i/b SSB Legal & Advisory, for the Plaintiffs.*

Mr Girish Godbole, *with Shanay Shah, Sumit Kothari, & Sunita Sarda, i/b Amit Surve, for the Defendants.*

CORAM: G.S. PATEL, J
(Through Video Conferencing)

DATED: 9th July 2021

PC:-

1. Heard through video conferencing.
2. The Plaintiff's Interim Application No. 1382 of 2021 for amendment of the Plaint is permitted in terms of schedule 'A'.

3. Amendments are to be carried out on or before 14th July 2021. Re-verification will be required.
4. These amendments are permitted without prejudice to the rights and contentions of the Defendants. All contentions are kept open, including as to the consequences of deletion of prayer clause (h) sought by the Plaintiffs.
5. All the Defendants are represented. Service of writ of summons on all the Defendants is thus waived.
6. A copy of the amended Plaint is to be served on the Advocates for the Defendants on or before 15th July 2021.
7. The amendments are also permitted to the existing Interim Application No. 342 of 2021. That amended Interim Application is also to be served on or before 15th July 2021.
8. Affidavits in Reply to the amended Interim Application No. 342 of 2021 including a further Affidavit of Amruta Takawane is permitted to be filed and served. That is to be done on or before 22nd July 2021. Affidavit in Rejoinder to the principal Interim Application is to be filed and served on or before 28th July 2021.
9. The Defendants entered appearance some time in January 2021. Ordinarily, under the Commercial Courts Act, 2015 there would have been maximum 120 days in which they are to file the written statement. However, the period of limitation has been

suspended by the Supreme Court in view of the pandemic and ensuing lock down. The written statements are to be filed and served on or before 27th August 2021. The Advocates are put to notice that the suspension of limitation only suspends the statutory bar against receiving filings beyond 120 days of service of the writ of summons. It does not dispense with the requirement of expeditious and timely filings under the Commercial Courts Act, nor does it take away the power of the Court to refuse an extension unless good cause is shown. Any such extension may also be subjected to an order of costs.

10. Interim Application No. 1382 of 2021 is disposed of in these terms. No costs.

11. List Interim Application No. 342 of 2021 for ad-interim reliefs on 30th July 2021.

12. List the suit for directions on 30th August 2021.

13. Previous statements will continue until the next date.

14. All concerned will act on production of an ordinary copy of this order.

(G. S. PATEL, J)