

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

**INTERIM APPLICATION NO.2761 OF 2021
IN
COMMERCIAL EXECUTION APPLICATION NO.30 OF 2017**

Amrutlal Premji Patel

.. Applicant

v/s.

Nirman Realtors & Developers

Limited & Ors.

.. Respondents

Mr. Aseem Naphade a/w Nilkanth Prabhu i/b. Legal Chartered for the applicant.

Ms. Madhuri Gaikwad i/b. M G Legal for the respondents.

CORAM : A. K. MENON, J.

DATED : 18TH NOVEMBER, 2021.

P.C. :

1. The IA seeks to revive the Chamber Summons no.1065 of 2019 pursuant to a liberty granted on 25th August, 2021 on account of defaults by the respondents. I see no reason why the Chamber Summons should not be revived.
2. Accordingly, I pass the following order;
 - (i) IA is allowed in terms of prayer clause (a).

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- (ii) As far as prayer clause (b) is concerned, leave is granted to amend the prayer in Chamber Summons no.1065 of 2019. Amendment to be carried out within two weeks from today. Re-verification is dispensed with.
- (iii) Amended copy to be served forthwith.
- (iv) IA is disposed in the above terms.

(A. K. MENON, J.)