

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

**INTERIM APPLICATION NO. 2827 OF 2021
IN
SUIT NO. 95 OF 2021**

Anupam Mittal ... Applicant/Orig. Plaintiff

Versus

People Interactive (India)
Private Limited & Ors. ... Defendants

Mr. Sharan Jagtiani, Senior Advocate a/w Mr. Kunal Dwarkadas, Mr. Rahul Dwarkadas, Ms. Silpa Nair, Mr. Areez Gazdar, Mr. Nutash Kotwal i/b Veritas Legal for the Applicant/Orig. Plaintiff.

Mr. Virag Tulzapurkar, Senior Advocate, Mr. Nikhil Sakhardande, Senior Advocate a/w Mr. Rajendra Barot and Ms. Anusha Jacob i/b AZB & Partners for Defendant Nos.2 and 3.

Ms. Vidhi Barot i/b Mr. Sonu Tandon for Defendant Nos.4 and 5.

CORAM : R.I. CHAGLA, J.

DATED : 10th JANUARY, 2022.

(V.C.)

ORDER :

1 By this Interim Application, the Applicant/Orig. Plaintiff is seeking leave to amend the plaint in terms of the schedule annexed to the Interim Application.

2 The amendment sought for by the Applicant/Original Plaintiff is not opposed by the Defendants subject to their rights and

contentions being kept open to deal with the amended plaint as well as the amended Interim Application as and when served upon them.

3 Considering that the amendment is not opposed subject to the aforementioned, the Applicant/Original Plaintiff is granted leave to amend the plaint in terms of the schedule annexed at Exhibit-C to the Interim Application. The Applicant/Original Plaintiff is also permitted to carry out consequential amendments in the Interim Application No.1010 of 2021. The Applicant/Original Plaintiff shall carry out the amendment within a period of two weeks i.e. on or before 24.01.2022.

4 Interim Application No.2827 of 2021 is disposed of in the above terms.

5 It is clarified that in paragraph 4 of the order dated 22.11.2021, the direction to the Defendants to adjourn the meeting post the Interim Application being heard and decided, is as and by way of ad-interim relief granted in Interim Application No.1010 of 2021. This is evident from the earlier part of the paragraph 4 which records that the Interim Application taken out by the Plaintiff is required to be heard and particularly considering that the Interim Application seeks to restrain Defendant No.2 from acting upon and enforcing the anti-suit injunction order which is now anti-suit permanent injunction by the judgment dated

26.10.2021.

6 The Defendants are at liberty to file additional affidavits-in-reply to the amended Interim Application and the plaint as and when served upon them as well as additional affidavits in the Interim Applications taken out by the Defendants for rejection of the plaint under Order VII Rule 11 of the Code of Civil Procedure. The Defendants shall file affidavits-in-reply within a period of one week from being served with the amended Interim Application i.e. on or before 07.02.2022.

7 The Applicant/Original Plaintiff is also at liberty to file affidavit-in-rejoinder to the affidavit-in-reply filed by the Defendants on or before 14.02.2022.

8 List the Interim Application No.1010 of 2021 with Interim Application (L) No.23885 of 2021 and Interim Application No.3175 of 2021 alongwith Interim Applications taken out under Order VII Rule 11 of the Code of Civil Procedure, on 16.02.2022.

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(R.I. CHAGLA, J.)