



A.No.955 of 2022
in C.S.No.489 of 2019

Krishnan Ramasamy, J.,

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This application has been filed seeking to permit the applicant/plaintiff to amend paragraph 71 of the Plaint by adding prayer.

2. The learned counsel appearing for the applicant/plaintiff would submit that the amendment is only with regard to adding prayer of Share Purchase Agreements becoming void due to frustration on account of abandonment of ventures by the 1st defendant and there is no amendment in the pleadings. Therefore, the applicants/plaintiffs seeks permission to amend paragraph 71 of the plaint by adding prayer (aa) “to declare the Share Transfer Agreements dated 14.06.2010 in relation to 3rd defendant AUM Agrotech Ltd., (now renamed as Girija Agrichemicals Ltd.,) between the plaintiff and 1st and 2nd defendants as having become void on account of frustration due to abandonment of obligations thereunder by 1st defendant” and by adding prayer (bb) “to declare the Share Transfer Agreements dated 14.06.2010 in relation to the 3rd defendant AUM Consultancy P Ltd., between the plaintiff and 1st & 2nd defendants as having become void on account of frustration due to abandonment of obligations thereunder by 1st defendant”.

3. Learned counsel appearing for the respondents/defendants seeks permission of this Court to file additional written statement.

4. Considering the submission made by the learned counsel for the applicant/plaintiff that the application is only praying for amendment of prayer without making any changes in the pleadings of the plaint and further, that no



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prejudice will be caused to the respondents if the present application for adding prayer is allowed, this Court finds it appropriate to allow the application. Accordingly, this Application stands allowed as prayed for.

5. The applicant/plaintiff is directed to carry out necessary amendments on or before 05.09.2022 and serve a copy of the amended plaint to the respondents on or before 12.09.2022. Thereafter, the respondents/defendants are permitted to file their additional written statement.

6. Post the matter on 13.09.2022.

22.08.2022

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