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Application No.5074 of 2022
in C.S(Comm.Div).No.110 of 2022

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M.SUNDAR, J

This order will now dispose of the captioned application.

2. In this order, parties shall be referred to by their respective ranks in the main suit for the sake of convenience and clarity.

3. Mr.R.T.S.Kannan, learned counsel for sole plaintiff and Mr.S.Vishnu of M/s.Sampathkumaar and Associates [Law Firm] for both the defendants are before this Commercial Division.

4. Captioned application has been taken out by sole plaintiff *inter alia* under Order VI Rule 17 of 'The Code of Civil Procedure, 1908 [Act 5 of 1908]' (hereinafter 'CPC' for the sake of convenience and clarity) with a prayer to amend the short, long cause titles and statement of address including the dockets of the plaint owing to inadvertent wrong description of a party. Instead of mentioning the name of the natural person, saying Mr.Jigar Mahendra Sheth, carrying on business as sole Proprietor in the name and style PYARA INTERMEDIATE AND CHEMICAL CO., it has been wrongly referred to as PYARA INTERMEDIATE AND CHEMICAL CO., represented



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by its Proprietor Mr.Jigar Mahendra Sheth. This has necessitated the captioned application is learned counsel's say.

5. Adverting to support affidavit, learned counsel for plaintiff submits that the error which was inadvertent is regretted. It is not necessary to dilate further on facts as learned counsel for defendants very fairly submits that he is not opposing the amendment prayer.

6. In the light of the fair stand taken by the learned counsel for defendants, captioned application is ordered as prayed for. Learned counsel for plaintiff to carry out necessary and consequential amendments within a fortnight from today i.e., by 29.11.2022. Learned counsel for plaintiff to favour the counsel for defendants with amended copies within one week therefrom i.e., by 06.12.2022.

7. Captioned application disposed of on above terms. There shall be no order as to costs.

**15.11.2022
(1/2)**

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