

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 1033 OF 2016

Shree Construction Company

...Plaintiff

Versus

Bagwe Housing Pvt Ltd & Ors

...Defendants

WITH

INTERIM APPLICATION (L) NO. 31242 OF 2024

IN

SUIT NO. 1033 OF 2016

WITH

INTERIM APPLICATION (L) NO. 9962 OF 2023

IN

SUIT NO. 1033 OF 2016

SHEPHALI
SANJAY
MORMARE

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Date: 2024.10.25
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Mr Shanay Shah, with *Shrikant Pillai, i/b M/s. Solomon & Co*, for the
Plaintiff.

Mr Mutahhar Khan, with *Hemant Mehta, Jinal Mehta & Anamika
Tiwari, i/b Mehta & Co*, for Defendants Nos. 2 to 9.

CORAM: ARIF S. DOCTOR, J

DATED: 18th October 2024

PC:-

INTERIM APPLICATION (L) NO. 9962 OF 2023

1. This is an Application for amendment. The amendments that are sought for are essentially to change the name/description of Defendant

No. 9 since Defendant No. 9 is now a Limited Liability Partnership as also for the prayer pertaining cancellation of the Powers of Attorney dated 3rd March 1999 and 26th April 2002.

2. The Application for amendment was not opposed, however, Learned Counsel appearing on behalf of Defendants Nos. 2 to 9 submitted that all rights and contentions of these Defendants be kept open.

3. Thus, I am inclined to allow the Application in terms of prayer clause (a) by keeping open all rights and contentions of the parties.

4. Hence, the Interim Application is allowed in terms of prayer clause (a), which reads thus:

“(a) that leave be granted to the Applicant to amend the Complaint in terms of Schedule I hereto.”

5. List the matters on 6th December 2024.

(ARIF S. DOCTOR, J)

Note. This order is modified as per order dated 24th October 2024.