



WEB CO

(CR)A/7/2024
in OP(CR)/2/2023

SENTHILKUMAR RAMAMOORTHY,J

By this application, the petitioner seeks to amend the long and short cause title and the statement of address with regard to the respondent. In the affidavit in support of this application, the applicant states that the first respondent pointed out that the said respondent is a proprietary concern and that Mr.Kailashkumar Punmaji Mali is the sole Proprietor thereof. Hence, it is stated that this application was filed.

2. Learned counsel for the first respondent opposes this application on the ground that the petitioner was aware that the first respondent was a sole proprietorship and in spite of such knowledge, filed the petition with a wrong description of the first respondent. He also submits that an interim stay was obtained in these proceedings and that such order is causing great prejudice to the first respondent.

SENTHILKUMAR RAMAMOORTHY,J

rna

3. Since this application was triggered by the assertion in the



WEB COM

counter that the description of the first respondent was erroneous, this application is liable to be allowed, albeit without prejudice to the first respondent's right to raise all contentions, including for the purpose of seeking to vacate the order of interim stay.

4. For reasons aforesaid, this application is allowed as prayed for and the petitioner is permitted to carry out the amendments in the petition on or before 15.10.2024. A copy of the amended petition shall be served on the other parties within a *week* from then.

5. List OP(CR)/2/2023 on 22.10.2024.

rna

26.09.2024
(1/4)

(CR)A/7/2024
in OP(CR)/2/2023