

Arjun

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.16863 OF 2025

Towels India Exports Limited & Anr. ...Petitioners
Versus
Pladio Plastic Dies Company Pvt. Ltd. ...Respondent

WITH
WRIT PETITION NO.16865 OF 2025

Towels India Exports Limited & Anr. ...Petitioners
Versus
Pladio Plastic Dies Company Pvt. Ltd. ...Respondent

WITH
WRIT PETITION NO.16867 OF 2025

Towels India Exports Limited & Anr. ...Petitioners
Versus
Pladio Plastic Dies Company Pvt. Ltd. ...Respondent

WITH
WRIT PETITION NO.16868 OF 2025

Towels India Exports Limited & Anr. ...Petitioners
Versus
Pladio Plastic Dies Company Pvt. Ltd. ...Respondent

WITH
WRIT PETITION NO.16869 OF 2025

Towels India Exports Limited & Anr. ...Petitioners
Versus
Pladio Plastic Dies Company Pvt. Ltd. ...Respondent

WITH
WRIT PETITION NO.16870 OF 2025

Towels India Exports Limited & Anr. ...Petitioners
Versus
Pladio Plastic Dies Company Pvt. Ltd. ...Respondent

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**WITH
WRIT PETITION NO.16871 OF 2025**

Towels India Exports Limited & Anr.	...Petitioners
<u><i>Versus</i></u>	
Pladio Plastic Dies Company Pvt. Ltd.	...Respondent

**WITH
WRIT PETITION NO.16872 OF 2025**

Towels India Exports Limited & Anr.	...Petitioners
<u><i>Versus</i></u>	
Pladio Plastic Dies Company Pvt. Ltd.	...Respondent

**WITH
WRIT PETITION NO.16873 OF 2025**

Towels India Exports Limited & Anr.	...Petitioners
<u><i>Versus</i></u>	
Pladio Plastic Dies Company Pvt. Ltd.	...Respondent

**WITH
WRIT PETITION NO.16874 OF 2025**

Towels India Exports Limited & Anr.	...Petitioners
<u><i>Versus</i></u>	
Pladio Plastic Dies Company Pvt. Ltd.	...Respondent

**WITH
WRIT PETITION NO.16875 OF 2025**

Towels India Exports Limited & Anr.	...Petitioners
<u><i>Versus</i></u>	
Pladio Plastic Dies Company Pvt. Ltd.	...Respondent

**WITH
WRIT PETITION NO.16876 OF 2025**

Towels India Exports Limited & Anr.	...Petitioners
<u><i>Versus</i></u>	
Pladio Plastic Dies Company Pvt. Ltd.	...Respondent

**WITH
WRIT PETITION NO.16877 OF 2025**

Towels India Exports Limited & Anr.	...Petitioners
<u><i>Versus</i></u>	
Pladio Plastic Dies Company Pvt. Ltd.	...Respondent

**WITH
WRIT PETITION NO.16878 OF 2025**

Towels India Exports Limited & Anr.	...Petitioners
<u><i>Versus</i></u>	
Pladio Plastic Dies Company Pvt. Ltd.	...Respondent

**WITH
WRIT PETITION NO.16879 OF 2025**

Towels India Exports Limited & Anr.	...Petitioners
<u><i>Versus</i></u>	
Pladio Plastic Dies Company Pvt. Ltd.	...Respondent

**WITH
WRIT PETITION NO.16880 OF 2025**

Towels India Exports Limited & Anr.	...Petitioners
<u><i>Versus</i></u>	
Pladio Plastic Dies Company Pvt. Ltd.	...Respondent

Mr. R. A. Thorat, Senior Advocate a/w Pratibha Shelake, Vrushali Maindad, Aditi S. Naikare, Simran S. Raut, Manali Sawant & Akshada Mundhe, for the Petitioners in all WPs.

Mr. Prasad Dani, Senior Advocate a/w Pooja Badra & Suraj Iyer i/b Ganesh & Co., for the Respondent in all WPs.

**CORAM: MADHAV J. JAMDAR, J.
DATED: 15 DECEMBER 2025**

P.C.:

1. Heard Mr. R. A. Thorat, learned Senior Counsel appearing for the Petitioners and Mr. Prasad Dani, learned Senior Counsel appearing for the Respondent.
2. By all these Writ Petitions, the challenge is to the Orders by which the amendment Applications proposing amendment in the respective written statements, as set out in the Schedule, have been rejected. The said amendment Applications proposing amendment in the written statements were filed in the Appeals.
3. The details of these Applications are as under :-

Sr. No.	Writ Petition No.	Appeal No.	Application No.	Date of Order
1	WP No.16863 of 2025	Appeal No.122 of 2017 in RAE Suit No.1571/2304 of 2006	Exhibit-29	24/11/2025
2	WP No.16865 of 2025	Appeal No.129 of 2017 in RAE Suit No.1579/2304 of 2006	Exhibit-29	24/11/2025
3	WP No.16867 of 2025	Appeal No.132 of 2017 in RAE Suit No.1577/2304 of 2006	Exhibit-29	24/11/2025
4	WP No.16868 of 2025	Appeal No.127 of 2017 in RAE Suit No.1580/2304 of 2006	Exhibit-29	24/11/2025
5	WP No.16869 of 2025	Appeal No.128 of 2017 in RAE Suit No.1567/2301 of 2006	Exhibit-29	24/11/2025
6	WP No.16870 of 2025	Appeal No.125 of 2017 in RAE Suit No.1569/2303 of 2006	Exhibit-29	24/11/2025
7	WP No.16871 of 2025	Appeal No.123 of 2017 in RAE Suit No.1572/2304 of 2006	Exhibit-29	24/11/2025
8	WP No.16872 of 2025	Appeal No.134 of 2017 in RAE Suit No.1573/2304 of 2006	Exhibit-29	24/11/2025
9	WP No.16873 of 2025	Appeal No.133 of 2017 in RAE Suit No.1574/2304 of 2006	Exhibit-29	24/11/2025
10	WP No.16874 of 2025	Appeal No.121 of 2017 in RAE Suit No.1566/2300 of 2006	Exhibit-29	24/11/2025
11	WP No.16875 of 2025	Appeal No.130 of 2017 in RAE Suit No.1581/2304 of 2006	Exhibit-29	24/11/2025
12	WP No.16876 of 2025	Appeal No.124 of 2017 in RAE Suit No.1570/2304 of 2006	Exhibit-29	24/11/2025

13	WP No.16877 of 2025	Appeal No.136 of 2017 in RAE Suit No.1575/2304 of 2006	Exhibit-29	24/11/2025
14	WP No.16878 of 2025	Appeal No.135 of 2017 in RAE Suit No.1576/2304 of 2006	Exhibit-29	24/11/2025
15	WP No.16879 of 2025	Appeal No.131 of 2017 in RAE Suit No.1578/2304 of 2006	Exhibit-29	24/11/2025
16	WP No.16880 of 2025	Appeal No.126 of 2017 in RAE Suit No.1568/2302 of 2006	Exhibit-29	24/11/2025

4. Mr. Thorat, learned Senior Counsel for the Petitioners, on instructions of the Petitioners, states that he has instructions to withdraw all these applications filed in respective Appeals seeking amendment in the written statements. He submits that, in fact, all these applications were filed wrongly and that the Petitioners wanted to file applications under Order XLI Rule 27 of the *Code of Civil Procedure, 1908* (“CPC”) seeking to produce additional evidence.

5. Mr. Dani, learned Senior Counsel for the Respondent, states that as the Petitioners are withdrawing the applications filed by them, the Respondent will have no objection for the same, however, as per the settled legal position, an application under Order XLI Rule 27 of the CPC seeking production of additional evidence is required to be heard along with the main Appeals. He submits that Appeals are of the year 2017 and therefore the learned Appellate Court is proceeding expeditiously with the Appeals.

6. As Mr. Thorat, learned Senior Counsel has instructions to withdraw the applications filed seeking amendment in the respective written statements, the following Order is passed :-

i. The Petitioners i.e. Appellants are permitted to withdraw the respective applications filed in the respective Appeals seeking amendment in the respective written statements and the said applications are consequently dismissed as withdrawn.

ii. As the respective applications have been withdrawn, the impugned Orders dated 24th November 2025 passed by the Appellate Bench, Small Causes Court, Mumbai, below the respective applications, as reflected in the above chart do not survive.

iii. The Petitioners are granted liberty to file applications under Order XLI Rule 27 of the CPC, seeking to produce additional evidence.

iv. In view of the settled legal position, applications under Order XLI Rule 27 of CPC, are required to be heard along with the main Appeals. Accordingly, the learned Appellate Court to consider these applications, if filed, along with the main Appeals. All contentions with respect to such applications and in main Appeals are expressly kept open.

7. The Writ Petitions are disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]