

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION

INTERIM APPLICATION NO.2081 OF 2024
IN
COMMERCIAL SUIT NO. 288 OF 2017

MR.BHUPENDRA RATILAL SHAH)...APPLICANT

IN THE MATTER BETWEEN

MR.BHUPENDRA RATILAL SHAH)...PLAINTIFF

V/s.

CURIO FINANCE AND INVESTMENT PVT. LTD.)
AND OTHERS)...DEFENDANTS

AND

M/S. TULSI SIDDHI DREAM HOMES LLP)...RESPONDENT
(PROPOSED DEFENDANT NO.5)

Mr.Karl Tamboly a/w. Mr.Pradeep Bakhru i/by Wadia Ghandy & Co.,
Advocate for the Applicant/Plaintiff.

Mr.Rushabh Sheth i/by Mr.Aditya Mhatre, Advocate for the Proposed
Respondent no.5.

Mr.N.C.Pawar, Officer on Special duty, Court Receiver's Office, present
in Court.

CORAM : ABHAY AHUJA, J.

DATE : 24th FEBRUARY 2025

PC. :

1. This Interim Application seeks amendment to the plaint to
implead the third party in whose favour third party rights have been
created.

avk

1/2

2. Mr.Rushabh Sheth, learned Counsel, has no objection if his client is added as a party and seeks leave of this Court to file reply to the other application as well as to file written statement.

3. In view of the aforesaid, the amendment is allowed in terms of prayer clause (a) which reads thus :

“(a) This Hon'ble Court be pleased to permit the Plaintiff to amend the plaint as per the Schedule annexed hereto and also carry out all consequential amendments.”

4. Let the amendment as per the Schedule be carried out within a period of two weeks. Let the amended plaint and proceedings be served upon the others in a week thereafter and an appropriate affidavit of service be filed.

5. The Interim Application accordingly stands allowed and disposed as above.

(ABHAY AHUJA, J.)