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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMMERCIAL SUIT NO. 135 OF 2021
WITH
INTERIM APPLICATION NO. 816 OF 2026
INTERIM APPLICATION NO. 2378 OF 2020**

Atur Lawns Co-operative ... Plaintiffs/Applicants
Housing Society Ltd. And 2 Others

Vs.

Basantrai and Sons and 13 Others... Defendants

Mr. M. M. Vashi, Senior Advocate a/w. Ms. Itisha Ranka i/b.
M/s. M. P. Vashi & Associates for the Plaintiffs.

Mr. Mani Thevar i/b. M/s. Ganesh & Co. for defendant no.
6(a) and 6(b).

Ms. Pooja Yadav for Defendant Nos. 12 and 13-BMC.

Mr. Rakesh Pathak AGP for the State – Respondent No. 14.

Ms. Nishita Joshi (through VC) i/b. Mr. Shrikrishna
Ganbavale for Defendant Nos. 1 and 2.

Mr. D. V. Deokar and Mr. D. Parikh i/b. M/s. Parimal K. Shroff
& Co. for Defendant Nos. 3 and 4.

CORAM : GAURI GODSE, J.

DATE : 24th APRIL 2026

ORDER :

Interim Application No. 816 of 2026

1. This application is for deleting defendant no. 6 and
impleading defendant nos. 6(a) and 6(b). Learned counsel

for the plaintiffs submits that defendant no. 6 is de-registered and two separate societies are incorporated. This fact has been intimated to the plaintiff's advocate by the advocate for defendant no. 6.

2. Learned counsel for defendant no. 6 has no objection for this amendment. In view of the de-registration of defendant no. 6 and incorporation of two separate societies proposed amendment would be necessary in the suit.

3. Hence, for the reasons stated in the application, it is allowed in terms of prayer clause (a) and (b). Amendment to be carried out within three weeks.

4. Since the contents of this application alongwith proposed amendments are verified, reverification of the plaint is dispensed with.

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5. Learned counsel for the added defendant nos. 6(a) and (b) on instructions submits that he would accept service of writ of summons. Office is directed to issue writ of summons on respondent nos.6(a) and 6(b).

6. Learned advocate for the plaintiff shall serve copy of

the writ of summons on the advocate for defendant nos. 6(a) and (b).

7. List the suit on 15th June 2026.

[GAURI GODSE, J.]