

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

INTERIM APPLICATION NO. 3448 OF 2025
IN
COMMERCIAL SUMMARY SUIT NO. 1168 OF 2019

NITIN DATTARAM SAMANT)...APPLICANT
IN THE MATTER BETWEEN
K G MILLENNIUM REALTORS PVT. LTD.AND ORS.)...PLAINTIFFS
V/s.

M/S.SAMARTH ERECTORS & DEVELOPERS &ORS.)...DEFENDANTS

Mr.Abhinav Chandrachud a/w. Ms.Radha Bhandari i/by M.V.Kini & Co.,
Advocate for the Plaintiffs.

Ms.Mitali Dhoble i/by Vidhii Partners, Advocate for the Defendant
no.2 /Applicant in IA/3448/2025.

CORAM : ABHAY AHUJA, J.

DATE : 6th MAY 2026

PC. :

INTERIM APPLICATION NO. 1040 OF 2026

1. Not on board. Taken on board.
2. Ms.Radha Bhandari, learned Counsel, appears for the Applicant and submits that the Applicant has taken over the Plaintiff – company vide the National Company Law Tribunal (NCLT) order dated 22nd

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August 2022 and that the Applicant be permitted to be substituted in place of the Plaintiff in terms of the prayer clause (a) to the said application.

3. Ms.Bhandari submits that all the Defendants have been served and there has been no reply that has been received till date.

4. Ms.Mitali Dhoble, learned Counsel appearing for the Defendant no.2 has no objection if the application is allowed.

5. Having heard the learned Counsel and having considered the submissions, the application is allowed in terms of prayer clause (a) which reads thus :

“(a) This Hon'ble Court be pleased to allow the present Interim Application and permit the Applicant to amend the cause title of the Commercial Summary Suit No.1168 of 2019, as per the Schedule-A of Amendment appended herewith.”

6. Let the amendments be carried out within a period of two weeks and the amended proceeding be served on the others within a period of two weeks thereafter and an appropriate Affidavit of service be filed.

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

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8. Both the learned Counsel appearing in the matter submit that they are led by Counsel and the matter be adjourned beyond vacation.
9. List on **22nd July 2026**.

(ABHAY AHUJA, J.)