

**IN THE COURT OF SMALL CAUSES AT BOMBAY****ORDER BELOW EXHIBIT - 55****IN****T.E.& R. SUIT NO. 83/90 OF 2001**

The Cricket Club of India Ltd.

..... Plaintiffs.

**Versus**

1. The unnamed heirs and legal  
representatives of Hiren Kumar  
Ghose & Ors.

)

)

) ..... Defendants.

**And**

M/s. Crystal Hospitality Services Pvt. Ltd.

) ..... Respondents/

Proposed Defendant No. 9

Shri. Anand Gandhi : Advocate for the Plaintiffs.

M/s. Divyakant Mehta &amp; Associates : Advocates for Defendant Nos.3 to 6

**Coram : P. C. Bhagure, Judge,**  
**Court Room No. 10**  
**Date : 09/02/2016**

**ORAL ORDER :**

1. This is an application filed by the plaintiffs for a permission to add the proposed Defendant No. 9 on record.

2. It is the contention of the plaintiffs that the proposed Defendant No. 9 M/s. Crystal Hospitality Services Pvt. Ltd. is in use and occupation of the suit premises. Therefore, in order to avoid the multiple litigation and proper adjudication, according to plaintiffs, proposed Defendant No. 9 is a necessary party and therefore, plaintiffs requested to allow the present application and allow them to add proposed Defendant No. 9 in the present suit.

3. Defendant Nos. 3 to 6 have filed their say and contested the application. According to them, application is not maintainable and it is deserves to be dismissed.

4. Heard both side at length. It appears from the application that the proposed Defendant No. 9 M/s. Crystal Hospitality Services Pvt. Ltd. is in use and occupation of the suit premises. Therefore, in order to proper

adjudication as well as to avoid multiple litigation, in my view, it is necessary party in the present suit. Hence, in the interest of justice, I pass following order.

**: ORDER :**

Application Exh. 55 is allowed as under :

- i) Plaintiffs are permitted to add respondents as Defendant No. 9 in the present suit within 14 days from the order.
- ii) After amendment of the plaint, suit summons be served on Defendant No. 9.
- iii) Plaintiffs shall provide the amended plaint to the Court and copy to other side.

**Bombay**  
**Date : 09/02/2016**

**( P. C. Bhagure )**  
**Judge, C. R. No. 10**

Order dictated on : 09/02/2016  
Order transcribed on : 09/02/2016  
Order checked & Signed on : 09/02/2016