

*Sharayu Khot.*

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION**

**LEAVE PETITION (L) NO.7074 OF 2023**

**IN**

**COMMERCIAL SUIT (L) NO. 6957 OF 2023**

**National Stock Exchange of India Ltd.**

**...Petitioner/  
Plaintiff**

***Versus***

**Guiness Securities Ltd. & Ors.**

**...Respondents/  
Defendants**

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Mr. Ranjeev Carvalho, Mr. Sachin Chandarana, Mr. Rashid Boatwalla,  
Mr. Manan Dhindhoja, Mr. Juan D'Souza, Mr. Aagam Mehta i/b.  
Manilal Kher Ambalal & Co. for the Plaintiff.

Mr. Kunal Vaishnav, Mr. Aadarsh Kothari, Ms. Surbhi Soni i/by MGV &  
Associates for the Defendant Nos. 1, 2 and 3.

B.N. Poojari a/w Ms. Nidhi Bangera and Mr. Sarosh Poojari i/by  
Legal House for the Defendant No. 4.

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**CORAM : R.I. CHAGLA J**

**DATE : 31 March 2023**

**ORDER :**

1. Advocate for the Defendant Nos. 1 to 3 has sought leave to file Vakalatnama. Leave is granted.

2. By this Leave Petition, the Petitioner/Plaintiff is seeking leave under Order II Rule 2 of the Civil Procedure Code, 1908 for omission to sue the Respondents in respect of claims which may arise as legalities/violations are discovered and further claims/complaints are received from investors/clients of Respondent No. 1 or third parties.

3. In paragraph 34 of the Plaint, specific averments have been made for seeking leave under Order II Rule 2 of the Code of Civil Procedure, 1908.

4. Accordingly, leave is granted under Order II Rule 2 of the Code of Civil Procedure, 1908. Leave Petition is accordingly disposed of.

**Interim Application (L) No. 7105 of 2023**

5. Learned Counsel for the Defendant Nos. 1, 2 and 3 has sought time to file Affidavit in Reply to the Interim Application. The Defendant Nos. 1 to 3 shall file Affidavit in Reply within a period of two weeks from the date of this order.

6. Defendant No. 4 is also permitted to file Affidavit in Reply within a period of two weeks from the date of this order.

7. The Plaintiff is at liberty to file Affidavit in Rejoinder within a period of one week thereafter.

8. Interim Application shall be listed on 26th April 2023, high on board.

**[R.I. CHAGLA J.]**