



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION (L) NO. 35593 OF 2025
WITH
INTERIM APPLICATION (L) NO. 21968 OF 2024
WITH
INTERIM APPLICATION (L) NO. 21969 OF 2024
IN
COMMERCIAL SUIT (L) NO. 21875 OF 2024

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L & T Crescent Bay T6 Co-operative
Housing Society Ltd. And Anr.

...Applicants

In the matter between :

L & T Crescent Bay T6 Co-operative
Housing Society Ltd. And Anr.

...Plaintiffs

Versus

L&T Parel Project Private Limited and Ors.

...Defendants

WITH

INTERIM APPLICATION (L) NO. 31641 OF 2024

IN

COMMERCIAL SUIT (L) NO. 21875 OF 2024

L&T Parel Project Private Limited and Ors.

...Applicants

Versus

L & T Crescent Bay T6 Co-operative
Housing Society Ltd. And Anr.

...Respondents

Mr. Archit Rao *a/w Ms. Fatema Kothari i/b Vidhi Partners,*
for the Applicants.

Mr. Chirag Kamdar, *for Defendant No.12.*



CORAM : SOMASEKHAR SUNDARESAN, J.
DATE : FEBRUARY 9 , 2026

ORDER:

1. By way of a praecipe, a request was made for speaking to the minutes of the order dated January 28, 2026, to correct errors.
2. Learned Advocate for the Applicants has sought one correction in paragraph 9 of the said order. The corrected paragraph 9 shall read as under :

“In these circumstances, I am not convinced by the Defendants’ contention that the pre-trial amendments sought are entirely alien and foreign to the plaint, or that it creates a completely new cause of action different in nature or substantive content from the original plaint, is warranted.”

3. Learned Advocate for the Defendant No.12 has sought relevant portion to be added in paragraph 11 and 14 of the said order. The corrected paragraph 11 and 14 shall read as under :

“11. Needless to say, all these are facets that would need to be gone into in the course of the



trial and the proceedings. The amendments merely put the Defendants on notice as to the nature of the attack in the proceedings. Needless to say, the Defendants will be fully entitled to deal with all contentions on their merits after the amendments, including the Defendants contention that the challenge to the 2019 LOI is barred by limitation.”

“14. The developments in the matter are such that Defendant No.12 replaced Defendant Nos.2 to 4 in the redevelopment activity on April 29, 2024. Since, in my view, prima facie, the amendments are not alien and are a further extension of the original cause of action pursued in the Suit, it cannot be said that the need to assail the LOI of 2019 was crystallised earlier; rather, subsequent events made it necessary to assail the same incidentally to the prayers already drafted in the plaint. ”

4. In the cause title the ‘Interim Application (L) No.31641 of 2025 in Commercial Suit (L) No. 21875 of 2025’ shall be replaced by



‘Interim Application (L) No. 31641 of 2024 in Commercial Suit (L) No. 21875 of 2024’.

5. The rest of the aforesaid order remains unaltered. The original order shall be corrected and made available to the parties. The praecipe stands ***disposed of*** accordingly.

6. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court’s website.

[SOMASEKHAR SUNDARESAN, J.]