

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

**CHAMBER SUMMONS NO.796 OF 2018**  
**WITH**  
**NOTICE OF MOTION NO.775 OF 2016**  
**WITH**  
**NOTICE OF MOTION NO.2239 OF 2016**  
**IN**  
**SUIT NO.205 OF 2016**

VST and Company ...Applicant  
vs.  
Manas Shelters Pvt. Ltd. and Ors. ...Defendants

Ms. Neeta Solanki I/b. Kiran Jain & Co., for the Applicant.  
Mr. Siddhant Joshi I/b. Ms. Bina Pai, for the Defendant Nos. 1 & 2  
Mr. Zal Andharujina a/w. Mr. Harsh Meghani, Mr. B.N. Shukla  
I/b. D.J. Kamdin & Co., for Defendant Nos. 5 to 8, 12 and 13.

**CORAM : R.D. DHANUKA, J.**

**DATE : JANUARY 22, 2019**

**P.C.:**

1. Ms. Neeta Solanki, learned counsel for the Applicant tenders a draft amendment to the Chamber Summons.

2. Mr. Zal Andharujina, learned counsel for the Defendant Nos. 5 to 8, 12 and 13 states that his client has no objection if the Chamber Summons is allowed if the contentions of his clients on merits are kept open. Statement is accepted.

3. Leave to amend is granted to the Applicant as per draft amendment. Amendment to be carried out to the Chamber

Summons No. 796 of 2018 forthwith.

4. In so far as the reliefs sought in the Chamber Summons are concerned, since I propose to allow the Applicant to carry out the amendment and to bring the legal heirs of the original Defendant No.4 Madhavlal Narayanlal Pittie on record and allowed to add paragraph 32B of the suit in the Complaint and also to consequential amendments set out in paragraph Nos. 3 and 4 of the draft amendment, the prayers in terms of prayer clause (a) and (b) are not necessary. The amendment as proposed are allowed.

5. The Applicant is accordingly permitted to carry out the amendment in terms of the manner as permitted in the Chamber Summons. Amendment to be carried out within two weeks from today. Amended copy of the Complaint shall be served upon the Defendants within one week thereafter.

6. It is made clear that all contentions of the parties are kept open.

7. No order as to costs.

8. Office is directed to place the Judges Order No. 119 of 2018 along with Notice of Motion No. 2239 of 2016 for hearing on 7<sup>th</sup> February, 2019.

**(R.D. DHANUKA, J.)**