

varsha

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION(L) NO. 32631 OF 2025
WITH
INTERIM APPLICATION(L) NO. 38621 OF 2025
IN
COMMERCIAL SUIT(L) NO. 32125 OF 2025**

Bhumiraj Builders Pvt Ltd ... Applicant/Plaintiff

vs.

Edelweiss Asset Reconstruction Company Ltd ... Defendant

Mr. Farid Karachiwala (through VC), Ms. Sneh Parikh, Ms. Krutika Mehta i/b. J. Sagar Associates for Applicant/Plaintiff.

Mr. Sachin Chandarana, Ms. Suchitra Valjee, Ms. Palak Damani, Mr. Arjun Bahl i/b. Manilal Kher Ambalal and Co. for the Defendant.

CORAM : GAURI GODSE, J.

DATED : 5th JANUARY 2026

ORDER:

INTERIM APPLICATION(L) NO. 38621 OF 2025

1. This application is for leave to amend the plaint. The suit is at a preliminary stage. The writ of summons is not yet served. The interim application seeking interim relief is still pending. The defendant has filed affidavit-in-reply.

2. The proposed amendment does not change the original

structure of the suit and is based on the same cause of action. If the amendment is not allowed, it is likely to cause prejudice to the plaintiff. However, if it is allowed, no prejudice would be caused to the defendant as the defendant would be entitled to file an additional affidavit-in-reply in response to the amended pleadings.

3. For the reasons stated in the application, it is allowed in terms of prayer clause (a). Amendment to be carried out within three weeks. Amended copy of the plaint shall be served upon the learned advocate for the defendant. The defendant is at liberty to file additional affidavit in response to the amended plaint within two weeks from the date of service of amended copy of the plaint.

4. Since, the schedule of the proposed amendment is verified alongwith the application for leave to amend, re-verification of the plaint is dispensed with.

5. Interim application is disposed of in the aforesaid terms.

**INTERIM APPLICATION(L) NO. 32631 OF 2025 WITH
COMMERCIAL SUIT(L) NO. 32125 OF 2025**

6. Stand over to 23rd February 2026.

(GAURI GODSE, J.)