



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

CHAMBER SUMMONS NO.61 OF 2018
IN
COMMERCIAL SUIT NO.180 OF 2017

Augmont Enterprises Pvt. Ltd.

formerly known as RSBL Spot

Trading Pvt. Ltd.

.. Plaintiff

Vs.

Eskayeb International Pvt. Ltd. & Ors.

.. Defendants

Mr.Shyam Mehta nSr. Advocate with Mr.Kirti Munshi, Ms.Nita Solanki, Mr.Kirti Jain, Mr.I.Jain and Ms.Anita Kamble i/b Kiran Jain & Co. for the plaintiff.

Mr.Sunny Jain for the defendant no.1.

Mr.Ruben Fernandes for defendant no.3.

CORAM : A.K. MENON, J.

DATED : 11TH JUNE, 2018.

P.C. ,

This Chamber Summons is taken out by the plaintiff seeking amendment of the plaint to correct the amount claimed as per schedule annexed to the chamber summons. Mr.Mehta, learned Senior counsel appearing on behalf of the plaintiff submits that although the amount is incorrect in plaint, the Summons for Judgment taken out in this matter seeks a decree in respect of the correct amount. Mr.Mehta submits that no reply is

filed yet, therefore, no prejudice would be caused to the defendants, if the chamber summons is allowed. In the circumstances I am of the view that the Chamber Summons can be allowed. I, therefore, pass the following order :

- (i) Chamber Summons is made absolute in terms of prayer clause (a). Amendment to be carried out within one week from today. Amended copy to be served forthwith thereafter.
- (ii) Chamber summons is disposed of.
- (ii) Reply to the Summons for Judgment to be filed on or before 22nd June, 2018.
- (iii) Learned Advocate appearing on behalf of defendant no.3 seeks to file additional reply in view of amendment now proposed. The additional reply to be filed on or before 22nd June, 2018.
- (iv) Rejoinder, if any, to be filed on or before 25th June, 2018.
- (v) The plaintiff to pay the costs of Rs.5,000/- to each of the defendants contesting the suit before the next date.
- (vi) Summons for Judgment to be listed on 25th June, 2018.

(A.K. MENON,J.)