



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

CHAMBER SUMMONS NO.1166 OF 2018
IN
COMMERCIAL SUMMARY SUIT NO.180 OF 2017

Augmont Enterprises Pvt. Ltd. .. Plaintiff.
Vs.
Eskaybee International Pvt. Ltd. & Ors. .. Defendants.

WITH
SUMMONS FOR JUDGMENT NO.7 OF 2018 IN COMS NO.180/2017
WITH
NOTICE OF MOTION NO.214 OF 2018 IN COMS NO.180/2017
WITH
NOTICE OF MOTION NO.1006 OF 2018 IN COMS NO.180/2017

Mr.Kirti Munshi with Ms.Nita Solanki i/b Kiran Jain & Co. for the Plaintiff.
Mr.Sunny Jain with Mr.Dharmendra Mishra for the Defendant No.1.

CORAM : A.K. MENON, J.

DATED : 8TH OCTOBER, 2018.

P.C. :

1. Mr.Munshi, learned counsel for the plaintiff submits that the Chamber Summons taken out in this matter may be heard prior to the summons for judgment since they seek amendment to the plaint. He tenders affidavit of service, the same is taken on file. The parties appearing today have no objection to the Chamber Summons being allowed subject to their

right to file affidavits in reply to the summons for the judgment.

2. Defendant no.3 is absent, though served. As far as defendant no.4 is concerned, the packet sent to defendant no.4/respondent to the chamber summons has been returned unserved. It is stated across the bar that no appearance has been entered on behalf of defendant no.4 in the suit. In the circumstances chamber summons is allowed in terms of prayer clause (a). Amendment to be carried out within two weeks from today. Reply, if any, to the amended plaint to be filed within two weeks thereafter. Rejoinder, if any, to be filed within one week thereafter.

3. List as per CMIS.

(A.K. MENON,J.)