

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 4059/2023

[Arising out of impugned final judgment and order dated 30-01-2023 in WP No. 14547/2022 passed by the High Court of Judicature at Bombay]

RAJKUMARI RENUKA DEVI BATLIWALA

Petitioner(s)

VERSUS

TRADE IMPEX PVT. LTD. & ORS.

Respondent(s)

[TO BE TAKEN UP HIGH UP ON THE BOARD]

IA No. 182265/2024 - EXEMPTION FROM FILING O.T.

IA No. 42170/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 35987/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 29-09-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) : Ms. Malvika Trivedi, Sr. Adv.
Mr. Chirag Joshi, Adv.
Mr. Shailendra Slaria, Adv.
Ms. Sujal Gupta, Adv.
Mr. Ghanshyam Joshi- 1175, AOR

For Respondent(s) : M/S. Dua Associates- 1537, AOR
Mr. Shoeb Alam, Sr. Adv.
Mr. Amit Dhingra, Adv.
Ms. Kirtida Chandarana, Adv.
Mr. Anirudh Arunkumar, Adv.
Ms. Kesang Tenzin Doma, Adv.
Mr. Khalid Ali, Adv.

Mr. Rajat Bhardwaj- 2192, AOR
Ms. Ankita M Bhardwaj, Adv.
Mr. Dushyant Chaudhary, Adv.
Mr. Vineet Singh, Adv.
Mr. Tushar Garg, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. The present petition arises out of the order and judgment dated 30.01.2023 passed by the High Court of Judicature at Bombay in Writ Petition No. 14547 of 2022, whereby the chamber summons/application preferred by the respondent for amendment of the plaint has been allowed.

2. The impugned order passed by the High Court reflects that the High Court has directed the Trial Court to frame a specific issue regarding limitation, having regard to the contention raised that the amendment was sought after a hiatus of 26 years. The High Court has observed that the issue relating to delay in filing the chamber summons shall be framed and adjudicated by the Trial Court along with the other issues, and all contentions in that regard have been expressly kept open.

3. Furthermore, paragraph 6 of the impugned order reveals that the petitioner had instituted two substantive suits between the parties, being Suit No. 6907 of 1978 and Suit No. 536 of 1980. Admittedly, in Suit No. 536 of 1980, a similar amendment application, which was subject matter of the present case, was allowed by the court, and the said order was not challenged.

4. In view of the aforesaid facts and circumstances, we do not find any ground or reason to interfere with the order passed by the High Court. Accordingly, the Special Leave Petition is dismissed.

5. Taking into consideration that the civil suit is of the year 1978, the Trial Court is requested to expedite the proceedings and conclude the trial at an early date.

6. Pending application(s), if any, shall stand disposed of.

(RAHUL KUMAR)
COURT MASTER (SH)

(KOMAL)
COURT MASTER (NSH)