

CMPMO No. 303 of 2007.

31.12.2007 Present: Mr. Suneet Goel, Advocate, for the petitioner.

After arguing for a while, Mr. Goel seeks to withdraw this petition. He also submits that this Court should extend the period granted by the learned trial Court for filing the amended plaint in the light of the observations contained in the impugned order dated 17th August, 2007. Both the prayers are allowed.

The petition is dismissed as withdrawn. This Court hereby orders and directs that instead of the petitioner-plaintiff moving any application for amendment of the plaint, he shall be entitled as well as be at liberty to file the amended plaint wherein and whereby the prayer part of the plaint alone shall be suitably amended deleting Clause “a” and modifying Clauses “b” and “c” by including the entire suit amount as well as the interest element upon and under different heads and sub-heads of the suit. The time for filing the amended plaint in the trial Court is hereby fixed by this Court upto 17th January, 2008. In other words, the amended plaint can be filed, on the lines indicated hereinabove as well as to the aforesaid extent only, by or before 17th January, 2008.

The petition is dismissed as withdrawn.

CMP No. 1095 of 2007.

In view of the order dismissal of the main petition, this application is also dismissed.

December 31, 2007.
(rc)

(V.K. Gupta), C.J.