

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO.1184 OF 2014

IN

APPEAL FROM ORDER NO.1352 OF 2013

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Mr.R.M.Haridas for the appellant
Mr.Abhijeet Deshmukh for respondent nos.2 to 5
Mr.Ketan Joshi for the respondent no.6

CORAM : K.K.TATED, J.
DATED : 12th JANUARY, 2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 The learned counsel for the applicant submits that respondent no.1, Dr.Nalin M. Kapadia expired. He submits that in place of respondent no.11 Mr.Hansraj H. Sampat is appointed as a trustee of the said trust. He submits that in the interest of justice, applicant may be permitted to carry out appropriate amendment to that effect.
- 3 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case

for allowing the present Civil Application. Hence, following order:

(A) Civil Application is allowed in terms of prayer clauses (a) and (b) which read thus:

“(a) That the delay in filing the present Application may kindly be condoned.

(b) That the Applicants be permitted to delete the name of the Respondent No.1 with permission to amend the Appeal from Order and the Civil Application No.1616 of 2013 by incorporating name of Mr.Hansraj H. Sampat as Respondent No.9 in the Appeal from Order and Civil Application No.1616 of 2013.”

(B) Applicant to carry out appropriate amendment within four weeks from today, failing which Civil Application shall stand dismissed without referring back to the court.

(C) Civil Application is disposed of accordingly.

(K.K.TATED, J.)