

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

CHAMBER SUMMONS NO.575 OF 2015

IN

SUIT NO.3099 OF 1999

Shantidevi Sohanlal Jhuria	...	Plaintiff
versus		
State of Maharashtra and Ors.	...	Defendants
and		
Arun Kumar Keyal and Ors.	...	Applicants

Mr. Kirit Mody i/by M/s. B. Kanga and Girdharlal, for Plaintiff.
Mr. F. Dubhash i/by M/s. Res Legal, for Applicants in support.

CORAM: S.J. KATHAWALLA, J.

DATE: 21st NOVEMBER, 2015

P.C.:

1. Heard the learned Advocates for the parties. Perused the Chamber Summons and the Affidavit in support thereto. The Chamber Summons is also allowed in terms of prayer clauses b (i), (ii) and (iii), which are reproduced hereunder :

“b(i) this Hon’ble Court be pleased to set aside the abatement of the above Suit as against original Plaintiff No.2;

b(ii) that this Hon’ble Court be pleased to condone the delay of 3523 days in filing the above Chamber Summons;

b(iii) that the Applicants be brought on record as heirs of legal representatives of Original Plaintiff No.2 as Defendant Nos.12, to 14 in the above

Suit”.

2. Amendments to be carried out on or before 24-11-2015.
3. Defendant Nos.12, 13 and 14 shall file their Written Statements on or before 26-11-2015. The newly added Defendants shall be entitled to cross-examine Defendant No.11 as well as other witnesses namely Defendant Nos.9 and 10.
4. It is clarified that this order shall in no way prejudice the rights and contentions of the Applicants herein (now Defendant Nos. 12, 13 and 14) and Defendant No.11 in any of the pending proceedings between them.
5. Place the Suit for Cross-examination before this Court on 1st December, 2015 at 3.00 p.m.
6. The Chamber Summons is accordingly disposed off.

(S.J.KATHAWALLA, J.)