

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

CHAMBER SUMMONS NO.533 OF 2015
IN
SUIT NO.3299 OF 2003

Haji Ismail Haji Habib Musafirkhana Trust & 5 Ors.	...	Applicants / Plaintiffs
Vs.		
Yusuf Salesh Mohammad Jafarani & Ors.	...	Defendants
AND		
The Court Receiver	...	Respondent

Mr. Madon, Sr. Adv. a/w. Ms. Apeksha Munot, Adv. a/w. Yogini Borade, Adv. a/w. Vivek Mourya, Adv. i/b. Wadia Ghandy & Co. for proposed plaintiff No.7.

J A Sarkhot, Adv. i/b. R V Govilkar, Adv. for plaintiffs.

Mr. Ivor Peter D'Cruz, Adv. for defendants.

K D Raorane, Master (Admn.), Court Receiver present.

CORAM : MRS. ROSHAN DALVI, J.

DATE : 9th July, 2015.

P.C. :

1. The applicant has served the Chamber Summons upon the defendants as mentioned in the affidavit of service. Affidavit of service is taken on record. Defendant Nos.1 to 4 are not traceable and the suit has been transferred to the list of undefended suits against those defendants by the order of the Prothonotary and Senior Master of this Court dated 9th February, 2015. The applicant seeks to be brought on record to enable the parties to settle the dispute. The dispute with some of the parties is already settled and suit against those defendants has been withdrawn.

2. By consent of the applicant, the plaintiffs and defendant Nos.4, 7, 8, 10, 11, 12, 13, 15, 16, 18, 19, 20, 23, 24, 25, 27, 28, 29, 30, 34, 35 and 36 the Chamber Summons is made absolute as prayed.

3. The plaintiff shall carry out necessary amendments in the plaint within two weeks. The plaintiff shall also amend the copy of the plaint served upon the defendants who have been represented in this Chamber Summons within two weeks.

4. Chamber Summons is disposed of accordingly.

(ROSHAN DALVI, J.)