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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.574 OF 2015

IN

SUIT NO.977 OF 2009

Manjit Singh Basant Singh Sandhu ...Applicant/Plaintiff

vs

P.J. Joseph And 69 Others ...Defendants.

And

Anita Dayaram Thakur And 29 Ors. ...Respondents

WITH

NOTICE OF MOTION NO.3549 OF 2010

IN

SUIT NO.977 OF 2009

.....

Mr. Shoaib I. Memon, a/w. Asif Vora and Ginni Ahuja, for the Plaintiff.

Mr. Nirav Parmar, h/f. Sean Wassoodew, for Defendant Nos. 1 and 70.

Mr. Makrand Kale, a/w. Ms. Prachi Khandke, i/b. M/s. M.P. Vashi & Associates, for Defendant Nos. 3, 34, 39 to 41, 43 to 50, 52 to 58 and 60 to 69.

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CORAM : S.C. GUPTE, J.

DATED : NOVEMBER, 17, 2015

P.C. :

. This Chamber Summons seeks deletion of the names of the Defendants mentioned therein, who have expired and impleadment of their respective legal heirs as party Defendants in the suit and the Notice of Motion. The Defendants have died on diverse dates, however, the communication of their deaths has been received by the Plaintiff's Advocate

only after receiving a letter from the Defendants' Advocates dated 11 February 2015. The Plaintiff has, immediately thereafter, moved the present Chamber Summons seeking *inter alia* condonation of delay in taking out the present Chamber Summons and setting aside of the abatement of the suit, if any. The delay is condoned and the Chamber Summons is made absolute in terms of prayer clauses (a) to (b). The amendment to be carried out within a period of two weeks from today. The writ of summons shall be issued to the newly added Defendants with returnable date after twelve weeks. The newly added Defendants shall also be served Notice of Motion along with the writ of summons and plaint.

(S.C. GUPTE, J.)