

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHMBER SUMMONS NO. 981 OF 2015

IN

SUIT NO. 1773 OF 1998

Chandrakant P. Mirani and Ors. ... Applicants / Plaintiffs

Versus

Leo Joseph D'mello and Ors. ... Defendants

And

Allwyn George Ashirvadan & Anr. ... Prop. Defendants

Mr. Suresh Dubey for the Applicants / Plaintiffs.

Mr. Subramani i/b. Mahesh Menon and Company for Defendant Nos. 2, 3,5 and 6.

CORAM : S.J. KATHAWALLA, J.
DATED : 22ND DECEMBER, 2015

P.C.

1. The above Chamber Summons is taken out by the Plaintiffs to add Defendant Nos. 4 (a) and 4 (b) in the above Suit in place of original Defendant No. 4. The learned Advocate appearing for Defendant Nos. 2, 3, 5 and 6 on instructions states that Defendant Nos. 2, 3, 5 and 6 have no objection if the above Chamber Summons is allowed. In view thereof, the above Chamber Summons is allowed in terms of prayer Clauses (a), (b) and (c), which are reproduced hereunder :

“(a) That the delay of 270 days for filing the Chamber Summons be condoned.

(b) That the proposed Respondents be added as party Defendant Nos. 4(a) and 4(b) in the above Suit in place of original Defendant No. 4.

(c) That the Applicants be allowed to amend the Complaint as per annexure '1' to the Chamber Summons”.

2. Amendments to be carried out on or before 29th December, 2015.
3. A copy of the amended Plaint shall be served on the newly added Defendant Nos. 4 (a) and 4 (b) on or before 30th December, 2015 by hand delivery by the Advocate for the Plaintiffs.
4. Place the Suit for directions on 6th January, 2016.
5. The Chamber Summons is accordingly disposed of.

(S.J.KATHAWALLA, J.)