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

**NOTICE OF MOTION NO. 3196 OF 2005
IN
SUIT NO. 2923 OF 2005**

Rashmikanth Chotalal Shah & Anr. ...Plaintiffs
VS
Narendra Amritlal Sheth & Ors. ...Defendants

**WITH
CHAMBER SUMMONS NO. 968 OF 2014
IN
SUIT NO. 2923 OF 2005**

Vijay Rashmikanth Shah & Anr. ...Applicants/Plaintiffs
VS
Narendra Amritlal Sheth & Ors. ...Defendants
And
Smt. Kamala Vinod Patel/Ramani & Ors. ...Proposed Defendants.

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Ms Anita Castellino i/b Mahimtura & Co. for the Plaintiff.
Mr N.K.Mudnaney for Defendant Nos.1 and 2.
Mr Chetan Kapadia, Mr Manish Acharya and Ms Khushboo Tatia i/b Vigil Juris for
Defendant No.3.
Ms Anjali Chandurkar with Ms Dipti Panda with Ms Megha Martins i/b M/s
Purnanand & Co. for Defendant No.6.

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CORAM : S.C. GUPTE, J.

JANUARY 05, 2015

P.C. :

It appears that after filing of the suit, Defendant No.1 has expired. The Plaintiff has, accordingly, taken out an application for bringing heirs of Defendant No.1 on record by way of Chamber Summons No.968 of 2014. Mr Madnaney, appears for the proposed Defendant as well as Defendant No.1, who are the only heirs of deceased Defendant No.1. Mr Madnaney, has no objection to the Chamber Summons being allowed. Accordingly, Chamber Summons

No.968 of 2014 is made absolute in terms of prayer clauses (a) and (b). Amendment to be carried out within four weeks from today. Place this matter for marking of documents, examination and cross-examination of the Plaintiff's witness on preliminary issue. S.O. to 6 February 2015 at 3.00 p.m.

(S.C.GUPTE J.)