

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

CHAMBER SUMMONS NO.573 OF 2015
IN
SUIT NO.3299 OF 2003

Haji Habib Musafirkhana Trust & Ors. ... Applicants

In the matter between

Haji Habib Musafirkhana Trust & Ors.	...	Plaintiffs
Vs.		
Yusuf Saleh & Ors.	...	Defendants
AND		
The Court Receiver	...	Respondent

Ms. J A Sarkhot, Adv. i/b. R V Govilkar, Adv. for plaintiffs.
Mr. I. Peter D'Cruz. Adv. for defendant Nos.4,7B, 7D,7E, 8, 11 to 16,
18, 19,23 to 25, 27, 29 and 35.

CORAM : MRS. ROSHAN DALVI, J.
DATE : 27th April, 2015.

P.C. :

1. The heirs of the deceased defendant No.17 are required to be brought on record. They are the widow, son and daughter of the deceased. The widow of the deceased defendant No.17 has informed the plaintiff of his demise. The heirs of defendant No.17 would be interested in defending the suit. The heirs of defendant No.17 have been served by personal service on 22nd April, 2015. The Notice of Motion showing the service upon the plaintiff's copy letter is produced. There is no affidavit in reply.
2. The Chamber Summons is made absolute as prayed.

3. The plaintiffs shall carry out the amendments to bring the heirs of the deceased defendant No.17 on record as also to delete the defendants against whom suit is not seen to be prosecuted as shown in Chamber Summons No.742 of 2015 on or before 12th June, 2015. The plaintiff shall serve the amended copy of the plaint upon the other defendants on or before 12th June, 2015.

(ROSHAN DALVI, J.)