

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO.163 OF 2014
IN
TESTAMENTARY SUIT NO. 27 OF 1998
IN
TESTAMENTARY PETITION NO. 741 OF 1996**

Mrs. Rehana Khan wife Attahar Chaudhary alias Attherali Chaudhary	...Applicant
<i>In the matter between</i>	
Mrs. Rehana Khan wife Attahar Chaudhary alias Attherali Chaudhary	...Plaintiff
<i>Versus</i>	
Mohammed Hussain Babulla Khan & Ors.	...Defendants

Ms. P. Vaidya, *i/b Sharan Patole, for the Applicant.*
Mr. Hemant Salvi, *i/b M/s. Mansukhlal Hiralal & Co., for the*
Defendants Nos. 2A to 2D.

CORAM: G.S. PATEL, J
DATED: 13th January 2015

PC:-

1. For the reasons set out in the Affidavit in Support, the Chamber Summons is made absolute in terms of prayer clauses (a) to (d).

2. It is however noted that proposed Defendants No. 2A has, in the meantime, passed away. His heirs will in turn need to be brought on record. Learned counsel for Defendants Nos. 2A to 2D states that he will furnish to the Advocates for the Petitioners the names of the heirs of Defendant No. 2A before 19th January 2015.

3. It is clarified that the amendment to be carried out by the Applicant/Plaintiff is not limited to the schedule to the Chamber Summons, but also includes impleadment of the heirs of Defendant No. 2A.

4. All newly added Defendants to be served after the amendment is carried out. Amendment to be carried out on or before 27th January 2015.

5. The Chamber Summons is disposed of in these terms. All concerned to act on an authenticated copy of this order.

(G. S. PATEL, J.)