

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.505 OF 2016
IN
FIRST APPEAL NO.2214 OF 2006**

Surendra S. Somani and Others	.. Appellants
V e r s u s	
Kirtishankar Shrimali	.. Respondent
And	
Surendra Somani and others	.. Applicants

Shri S.M. Kazi for the Applicants.
None for the Respondent.

CORAM : K.K. TATED, J.

DATE : 18 FEBRUARY 2016.

P.C. :

1 Heard Shri Kazi, the learned Counsel appearing for the Applicants.
None for the Respondent, though duly served.

2 The learned Counsel for the Applicants filed the affidavit of service dated 25 January 2016. The same is on record. This application is filed by the Applicants for allowing them to delete the names of Appellant Nos. 3 to 6 and allow the new trustees on record.

3 Considering the submissions made by the Applicants and the averments in the Civil Application, the Applicants have made out case for allowing this Civil Application. Hence, the following order.

: O R D E R :

{A} The application is allowed in terms of prayer clause-(a), which reads thus :

“that the names of the Appellant Nos. 3 to 6 be permitted to be deleted from the above Appeal and the names of the Trustees shown in Exhibit “C” hereto be brought on record as Appellant Nos.3 to 6 alongwith the Appellant Nos. 1 and 2.”

{B} The Applicants to carry out the appropriate amendment within four weeks from today, failing which the Civil Application shall stand dismissed without further referring back to this Court.

{C} After the amendment is carried out within the stipulated time as stated above, the Applicants are permitted to serve the amended copy of the Appeal Memo on the otherside thereafter.

{D} Civil Application is disposed of accordingly.

(K.K. TATED, J.)