

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

WRIT PETITION NO.12164 OF 2015

Tarun Morarji Thakkar

alias Tarun Morarji Ruparel and another .. Petitioners

Versus

Mr. Sailesh C. Thakkar and others .. Respondents

**Mr. Sahil Saiyed a/w Ms. Naiana Jain i/by Wadia Ghandy & Co., for
the Petitioners.**

Mr. Shailesh Thakkar Respondent No.1 present.

CORAM : R.M. SAVANT, J.

DATE : 6th JANUARY 2016

PC.

1. The order dated 03.10.2015 passed by the Learned Judge of the Small Causes Court, Mumbai, is taken exception to by the Petitioners on the ground that their application for inclusion of the word “Ruparel” along with “Thakkar” as their surname is rejected by the Trial Court which application was made in the reply filed by the Petitioners to the application for bringing the heirs of the Defendant No.3 on record. The said rejection is on the ground that “Thakkar” being one of the surnames of the Petitioners, no prejudice would be caused if only the said surname appears in the cause title. In my view, no case for interference with the impugned order is made out. However, it would be open for the

Petitioners to apply for their surname to be Gazetted both as “Thakkar” and “Ruparel”. If it is so Gazetted, then the Petitioners would be at liberty renew their application before the Trial Court for their surname to be shown both as “Thakkar” and “Ruparel”. With the liberty as aforesaid, the Writ Petition is dismissed.

[R.M. SAVANT, J]