

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
CHAMBER SUMMONS NO. 40 OF 2016
IN
TESTAMENTARY SUIT NO. 41 OF 2010
IN
TESTAMENTARY PETITION NO. 876 OF 2009**

Curush Framroze Billimoria	...Plaintiff
<i>Versus</i>	
Mrs. Freny Cawas Patel & Ms. Zoish Behram Patel	...Defendants

Mr. S.K. Jabbar, *i/b Mr. Tanvir Shaikh for the Plaintiff.*
Mr. Peerzade, *i/b Mr. Munir Merchant, for the Defendants.*

CORAM: G.S. PATEL, J
DATED: 6th April 2016

PC:-

1. The Chamber Summons is for deletion of the name of Defendant No. 1, who passed away on 16th March 2015 and for consequential amendments.

2. The Chamber Summons is made absolute in terms of prayer clause (a). Amendments to be carried out on or before 22nd April 2016. The amendments will need re-verification.

3. It is clarified that all the rights and contentions of the Defendants as to the contents and correctness of the statements sought to be added by the amendments are specifically kept open.
4. This order is without prejudice to the rights and contentions of the Defendants.

(G. S. PATEL, J.)