

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

**CHAMBER SUMMONS NO.204 OF 2012
IN
SUIT NO.3188 OF 2009**

Spire Builders Pvt. Ltd.Plaintiffs

V/s.

Dhirubhai H.Vora and Ors.Defendants

Mr.Atul Daga i/by Kanga & Co. for plaintiffs.

Mr.Faran M.Khan i/by Ganesh K.Gole for defendants.

CORAM : K.R.SHRIRAM,J

DATE : 20.4.2016

P.C.:-

1 The counsel for the defendant nos. 2, 3 & 4 states that the defendant no.2 is already declared as insolvent and pursuant to the order of this Court property of defendant no.2 has been sold and from the sale proceeds, the claim of the plaintiffs will also be settled as recorded in the order dated 29.10.2013.

2 The counsel further states on instructions from defendant no.2 who is present in Court that they will provide a copy of the death certificate of defendant no.1 and names and addresses of all heirs and legal representatives of defendant no.1 within one week from today. Defendant nos.2, 3 & 4, though the counsel on instructions from defendant no.2 who is present in court are also agreeable to bringing on record the legal heirs of defendant no.1. The statement

made by the counsel is taken as an undertaking by defendant no.2 to this Court. Within 3 weeks of receiving the details as mentioned above, the plaintiffs to amend the plaint and serve a copy thereof upon the defendants.

3 In view thereof, the Chamber summons is allowed in terms of prayer clauses-(a), (b), (c) & (d) and accordingly stands disposed.

(K.R.SHRIRAM,J)