

SHEPHALI

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 961 OF 2016
IN
SUIT NO. 276 OF 2015**

Narendrakumar Bheemraj Shah & Anr.	...Plaintiffs
<i>Versus</i>	
Marble Traders & Anr.	...Defendants
<i>And</i>	
Clemy Mary Misquitta	...Respondent

Mr. R. S. Champawat, *for the Plaintiffs/Applicants.*
Ms. Geeta Sonawane, *i/b Mr. Denzil D'Mello, for the Defendant,*
Clemy Mary Misquitta.
Mr. D. B. Zaveri, *i/b B. R. Zaveri, for the Defendant No. 1.*

CORAM: G.S. PATEL, J
DATED: 5th October 2016

PC:-

1. Affidavit in Reply of the 1st Defendant is taken on record.

2. The Respondent is sought to be added as a party Defendant to this partition Suit on the footing that she has a share in this property. Ms. Sonanwane does not oppose this Chamber Summons. The 1st Defendant does. He says that Respondent's mother

relinquished all her rights in the property. That is a matter to be decided at a later stage.

3. The Chamber Summons is made absolute in terms of prayer clause (a). Amendment to be carried out on or before 14th October 2016. A copy of the amended Plaint to be served on the Advocates for the parties on or before 21st October 2016. Defendant No. 1 will be at liberty to file Additional Written Statement on or before 9th December 2016. The newly added Defendant will also be at liberty to file Additional Written Statement on or before 9th December 2016.

4. List the Suit for framing issues on 13th December 2016.

(G. S. PATEL, J.)