

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 1049 OF 2015

IN

SUIT NO. 2941 OF 2005

Atul Projects India Limited ... Applicant / Org. Plaintiff No. 3

IN THE MATTER BETWEEN :

Ursula Edomn Pereira & Ors. ... Plaintiffs

Versus

Allen Hycinth Gonsalves & Ors. ... Defendants

And

Tina Allean Gonsalves & Anr. ... Respondents

Mr. R. M. Vasudeo for the Applicant.
None for the Defendants.

CORAM : S.J. KATHAWALLA, J.
DATED : 14TH MARCH, 2016

P.C.

1. Perused the Chamber Summons and the Affidavit in support thereto. For the reasons set out in the Affidavit in support of the Chamber Summons, the Chamber Summons is allowed in terms of prayer Clauses (a), (b) and (c), which are reproduced hereunder :

“(a) That the delay of 362 days in moving out the above Chamber Summons be condoned by this Hon'ble Court ;

(b) That the abatement caused on the death of Defendant No. 1 be set aside by this Hon'ble Court ;

(c) That this Hon'ble Court be pleased to allow to amend the Plaint as per the Schedule annexed to this Chamber Summons.”

2. Amendments to be carried out within a period of two weeks from today.

3. A copy of the amended Complaint shall be served on the Defendants including newly added Defendants and / or their Advocates.
4. The Chamber Summons is accordingly disposed of.

(S.J.KATHAWALLA, J.)