

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

**CHAMBER SUMMONS NO.959 OF 2015
WITH
NOTICE OF MOTION NO.1585 OF 2009
WITH
CHAMBER SUMMONS NO.174 OF 2010
IN
SUIT NO.2891 OF 2007**

Kanayalal Kashiram Kasat & Ors.Applicant/Plaintiff
V/s.

Hemlata M. Thakur & Ors.Defendants

Mr. D.A. Barot for the plaintiff.
Mr. Sachin S. Punde for the defendant no.1.
Mr. Anil Ralkar i/b. Seema Sarnaik for the defendant no.3.

**CORAM : K.R.SHRIRAM,J
DATE : 4th AUGUST, 2016**

P.C.:-

CHAMBER SUMMONS NO.959 OF 2015

1 This chamber summons is taken out for bringing on record the legal heirs of defendant no.1, who expired on 21st January, 2015. It is stated in the affidavit in support that the advocate for defendant no.1 informed the plaintiffs' advocate on 11th June, 2015 about the demise of the defendant no.1. This chamber summons is filed on 4th July, 2015. Therefore, the same is within time.

2 The counsel for the applicants states that he has served a copy of the chamber summons upon the legal heirs of defendant no.1 and Mr. Punde, who was appearing for the defendant no.1 confirms receiving the same. Mr. Punde, counsel for the defendant no.1 states that he has instructions to enter appearance on behalf of the legal heirs of defendant no.1 and he will file the Vakalatnama within two weeks from today. Mr. Punde, counsel for the defendant no.1 waives service of fresh writ of summons.

3 The amendments to be carried out to the plaint as well as to the ad-interim proceedings within two weeks from today and the same to be served within one week thereafter.

4 The chamber summons accordingly stands disposed.

5 The notice of motion no.1585 of 2009 and chamber summons no.174 of 2010 be listed for hearing on 24th August, 2016.

(K.R.SHRIRAM,J)