

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1260 OF 2017

IN

WRIT PETITION NO.565 OF 2017

Hammersmith Industrial Premises Co-op.
Society Ltd.

... Applicant

v/s

Fransisca Mary Ferreira and others

... Respondents

Mr Anvil S. Kalekar i/b Mr Jaydeep Deo for escrow agent – Mr D.C. Mehta for Applicant.

Mr Suraj Suresh Shah with Ms Prabha Rathod for Respondent Nos.2 and 3.

CORAM : B.P. COLABAWALLA, J.

DATE : JULY 13, 2017

P.C.:

1. This Civil Application has been filed to bring on record Respondent No.1A – David Ferreira in place of deceased Respondent No.1 (Francisca Mary Ferreira). The Respondent No.1 was a trustee of St. Joseph Ignatius Fonseca Trust. After the death of Respondent No.1, the other trustees of the said Trust have appointed Respondent No.1A as a new trustee.

2. I have heard the learned counsel for the parties. The learned counsel appearing on behalf of Respondent Nos.2 and 3 who are the other trustees of the said Trust have no objection to this Civil application being allowed. Considering this statement and after having gone through the Civil Application, for the reasons set out therein, the same is granted in terms of prayer clause (b). Amendment to be carried out within a period of one week from today and the amended copy of the Writ Petition be served on all the Respondents. Civil Application is disposed of in the aforesaid terms. List the Writ Petition for admission on 20th July 2017. The Respondent Nos.2 and 3 are at liberty to file their additional affidavit as well as compilation of documents in the Registry on or before the next date.

(B.P. COLABAWALLA, J.)