

Sequeira

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION*

*CIVIL APPLICATION NO. 43 OF 2017
In
CIVIL APPLICATION NO. 788 OF 2016
In
CIVIL REVISION APPLICATION NO. 324 OF 2009*

Saraswatibai Bhiswambharlal Charity

Trust & ors.

.. Applicants

In the matter between

Mahendra Ratilal Jasani & anr.

.. Petitioners

Vs

Krishna Gopal Maheshwari & ors.

.. Respondents

Mr.Advait Sethna a/w Ms.Warisha Parkar i/b ALMT Legal, for
Applicants in CAO No.43 of 2017.

None for Respondents.

***CORAM : N.M.Jamdar, J.
Wednesday, 22 February 2017.***

P.C. :

The Civil Application No.788 of 2016 is taken out by the Respondents in Revision Application No.324 of 2009. It is stated that the composition of Respondent-trust has undergone a change and inspite of informing the revisional Applicants to correct the title of the Revision accordingly, no steps have been taken therefore, the present Application is necessitated.

2. The learned counsel for the Applicants states that notice is given to the Respondents. None appears for Respondents. No reply is filed. The learned counsel for the Applicants states that necessary changes in the trust register showing the name of the Applicants as trustees, have been carried out. There is no reason to disbelieve the statement. Civil Application No.788 of 2016 is accordingly allowed in terms of prayer clause (a).

3. The Respondents / original Applicants will carry out the necessary amendment in the revision within period of two weeks from today. If it is not carried out within two weeks, liberty is granted to the Respondents / present Applicants to carry out the necessary amendments.

4. As far as Civil Application No.43 of 2017, place the Civil Application on board, on 23 March 2017. The Applicants will give notice to Respondents and file affidavit of service.

(N.M.Jamdar, J.)