

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

CHAMBER SUMMONS NO.117 OF 2017
IN
SUIT NO.1505 OF 2006

Kamarunnisa Muiinuddeen Lokhandwala & Ors ..Plaintiffs
-Versus-
Shakeel Ahmed Nasuruddin Abdul Karim & Ors. ..Defendants

Mr. Abbas Z. Mooktiar for Plaintiffs/Applicants
Mr. Rayan Menezes i/b M/s. Jhangiani, Narula and Associates for
Defendant Nos. 1, 2 and 7.

CORAM : K.R.SHRIRAM, J.

DATE : 10th April 2017.

P.C.

1] This chamber summons is to bring on record the legal heirs of defendant No.5, who are made parties to the chambers summons as proposed defendant Nos. 5(a) to 5(c). Mr. Mooktiar appearing for plaintiff states that the proposed defendant Nos. 5(a) to 5(c) were served some time in February 2017 and undertakes to file affidavit of service within one week. Undertaking accepted.

2] The proposed defendant Nos.5(a) to 5(c) have not filed any affidavit in reply opposing the chamber summons nor is anybody

present today to represent them. Counsel appearing for defendant Nos. 1, 2 and 7 agree that the proposed defendant No.5(a) to 5(c) are the legal heirs of deceased defendant No.5.

3] In the circumstances, the chamber summons is allowed in terms of prayer clauses (a), (b), (c) and (d). It is clarified that para 4 of Schedule which is bracketed in Red Colour Ink is not granted.

4] Amendments be carried out and amended plaint be served within four weeks from today. Should the newly added defendants i.e. legal heirs of defendant No.5 or any other defendants wish to file written statement the same be filed within four weeks on receiving the amended plaint. S.O. 16th June 2017.

(K.R.SHRIRAM, J.)