

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.193 OF 2017
IN
SUIT NO.1009 OF 1973**

Rashna Ratan Surveyor and Anr. ... Applicants
and
Ratan Dinshaw Surveyor ... Plaintiff
versus
Hemlata S. Veera and Ors. ... Defendants

Ms. Duraiya S. Retiwala with Ms. Rashida Retiwala, for heirsof the Plaintiff/Applicant to CHS.

Mr. P.J.Thorat with Mr. Anand Mishra i/by Mr. A.M.Saraogi, for Applicant to NMS No.2879 of 2016.

Mr. P. Shah i/by Mr. K.P.Shah, for Petitioner to CONP No.77 of 2016.

Mr. G.G.Ketkar, 1st Assistant to Court Receiver, present.

CORAM: S.J. KATHAWALLA, J.

DATE: 27th FEBRUARY, 2017

P.C.:

1. Not on board. Upon mentioning, taken on board.
- 2 Perused the Chamber Summons and the Affidavit in support thereto.

For reasons set out in the Affidavit in support of the Chamber Summons, the Chamber Summons is allowed in terms of prayer clause (a) which is reproduced hereunder :

“(a) That the Applicants be allowed to carry out amendment to the
Plaint and other proceedings as per the Schedule annexed hereto;”

2. Amendment to be carried out on or before 04-03-2017. All contentions of the parties are kept open. The Chamber Summons is accordingly disposed of.

3. Stand over to 08-03-2017. The parties to handover to the Court Office a copy of the Plaint with all the amendments carried out till date since the original copy is 40 years old and is in bad shape. The Court Receiver is allowed to prepare his Report and serve the same on the parties by 05-03-2017.

(S.J.KATHAWALLA, J.)