

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

CHAMBER SUMMONS NO.130 OF 2017

IN

SUIT NO. 264 OF 2012

Padma Ashok Bhatt

..Plaintiff

-Versus-

Tripura Prasad Pandya & Ors.

..Defendants

Mr. Rahul Raut i/b M/s. N.N.Vaishnawa and Co. for Plaintiff

Mr. T.R.Yadav i/b M/s. C.R.Naidu for Defendant No.1.

CORAM : K.R.SHRIRAM, J.

DATE : 10th April 2017.

P.C.

1] Mr. Rahul Raut appearing for plaintiff first stated that he wanted to withdraw the chamber summons because of certain discrepancies and the discrepancies were that the legal heirs of defendant No.3 who the plaintiff wanted to be added as defendant Nos. 3(a) and 3(b) are already on record as defendant Nos. 4 and 5 and the plaintiff instead of simply striking off the name of defendant No.3 has taken out the chamber summons for the reliefs as mentioned therein.

2] To avoid multiplicity of proceedings, I am inclined to grant the prayers as sought by learned Counsel for the plaintiff by only striking off the name of defendant No.3 and consequently the defendant Nos. 4, 5 and 6 be re-numbered as defendant Nos. 3, 4 and 5. Mr. Mr. T.R.Yadav appearing for defendant No.1 has no objection. In the circumstances, leave to amend the plaint to strike off the name of defendant No.3 and renumber the defendant Nos. 4 to 6 as defendant Nos. 3, 4 and 5 is granted. Chamber summons is accordingly disposed of.

(K.R.SHRIRAM, J.)