

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

CHAMBER SUMMONS No. 315 OF 2017

IN

SUIT No. 406 OF 2015

Sabhapati Mahavir Mishra

....Applicant /Plaintiff

Vs.

M/s. Sirsiwala Realty and Ors.

....Respondents/ Defendants

Mr. Jamshed Ansari – Applicant/ Plaintiff

Mr. Manoj Harit i/b. Manoj Harit & Co. for Respondents / Defendants No.
1 to 5

CORAM: M.S.SANKLECHA, J.

DATE : 22nd SEPTEMBER, 2017.

P.C:-

1. This Chamber Summons has been taken out by the Applicant/Plaintiff, seeking to add Mr. Sultan Suleman Qureshi, Mr. Imran Suleman Qureshi and Mr.Irfan Suleman Qureshi as Party Defendant Nos. 6,7 and 8 to the suit. This on the ground that all the three partners of Defendant No.1 Firm.

2. Mr. Manoj Harit, learned counsel appearing for Defendant Nos.1 to 5 states that Mr. Imran Qureshi and Mr. Irfan Qureshi are not the partners in Respondent No.1 (Defendant No.1 Firm). However, Mr. Sultan Qureshi is a partner of Respondent No.1 (Original Defendant No.1 Firm).

3. Mr. Ansari, learned counsel appearing for the Applicant/ Plaintiff states that in view of the statement made by the learned counsel for the

Defendants, he does not press for adding of Mr. Imran Qureshi and Mr. Irfan Qureshi as party Defendants to the suit. He states that Mr. Sultan Suleman Qureshi may be added as Defendant No. 6 in the array of parties to the suit.

4. The Plaintiff also seeks to add the Mumbai Building Repair and Reconstruction Board (MBR&RB for short) unit of MHADA as Party Defendant to the suit.

5. Mr. Ansari, learned counsel for the Plaintiff states that MHADA has been served and he undertakes to file an affidavit in service by 26th September, 2017.

6. None appears on behalf of MHADA. It is the Plaintiff's claim that he continues to be the part owner of the suit property and addition of the MBR& RB is a necessary party to the present proceeding as the suit property is likely to undergo process of redevelopment.

7. In the above view, MBR&RB are allowed to be added as Defendant No.7 in the suit.

8. Chamber summons is allowed in the aforesaid terms. The amendment to be carried out within two weeks from today. Amended copy of the plaint to be served upon all the Respondents/defendants including the newly added Defendant Nos. 6 and 7

(M. S. SANKLECHA,J.)

CHS 315 of 2017.