

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

**CHAMBER SUMMONS NO. 49 OF 2016
IN
COMMERCIAL SUIT NO. 7 OF 2007**

Jagdish Shamji Gala	...Plaintiff/Applicant
vs.	
Jayant Gangaram Lalwani and Aarti Jayant Lalwani	...Defendant
and	
Aarti Jayant Lalwani & Ors.	...Respondents

Ms.Jaishree Surti I/b. S. Ashwinikumar & Co. for Applicant/Plaintiff.
Mr.Karen D'Souza I/b. S.R. Mishra for Defendant.

CORAM : S.C. GUPTE, J.

9 JUNE 2017

P.C. :

Heard learned Counsel for the parties.

2 The chamber summons seeks to bring on record legal heirs of the deceased Defendant. The chamber summons is within time. The chamber summons was sought to be served on the original Defendant's Advocates, who refused to accept the same. The chamber summons was, accordingly, served on the Respondents, who are legal heirs of the deceased Defendant. The packets of service have all been returned with the remark "unclaimed". There is an affidavit of service to this effect filed by the clerk of the Plaintiff's Advocates. Anyway, the amendment being within time, the chamber summons is allowed in terms of prayer clauses (a) and (c). Amendment to be carried out within two weeks. The plaint along with writ of summons may be duly served on the newly added Defendants.

3

The chamber summons is disposed of accordingly.

(S.C. Gupte, J.)