

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 485 OF 2017
IN
ARBITRATION PETITION NO. 1261 OF 2015

Rehana Mohammedali Gheewala ...Applicant

IN THE MATTER BETWEEN

Mohammedali Gheewala ...Petitioner

Versus

Gulamali Gheewala and Ors ...Respondents

Mr. Gaurav Mehta a/w. Vinod Kothari I/b. Apex Law Partners for
the Applicant/Petitioner.

Mr. Ajay Basutkar for the Respondent Nos. 1 to 3.

CORAM: G.S. KULKARNI, J.
DATED: 22nd August, 2017

PC:-

1. This chamber summons is taken out on behalf of the applicant seeking her to be brought on record in view of the death of the petitioner Mohammedali Gheewala, who expired on 18/08/2016. There is a delay of 141 days in filing this application which has been explained in Para 6 of the affidavit in support of the chamber summons.

2. I have perused the averments as made in the chamber summons. The explanation as set out in Para 6 is sufficient for the Court to consider the request of the petitioner to condone the delay. Accordingly, delay of 141 days in filing this chamber summons is condoned. As regards prayer clause (b) the chamber summons deserves to be allowed in the interest of justice. The chamber summons is accordingly allowed in terms of prayer clause (a) and (b).

3. Necessary amendment be carried out within a period of two weeks from today. Amended copy of the petition be served on the respondents.

4. List the petition on the cause lists on 04/09/2017.

5. Statement as made on behalf of the respondents and recorded in the order dated 05/05/2015 shall continue to operate till the adjourned date of hearing.

(G.S. Kulkarni, J.)