

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

CHAMBER SUMMONS NO. 357 OF 2012

IN

SUIT NO. 3987 OF 1993

Pankaj R. Patel & Ors.	.. Plaintiffs/Applicants
Vs.	
R.A.Jhaveri & Ors.	.. Defendants
And	
Santosh Manmohan Tripathi & Ors.	.. Respondents/Proposed Defts.

WITH

CHAMBER SUMMONS NO. 1397 OF 2016

IN

SUIT NO. 3987 OF 1993

Pankaj R. Patel & Ors.	.. Plaintiffs/Applicants
Vs.	
Rajendra Ambalal Jhaveri & Ors.	.. Defendants
And	
Pushpa Kantilal Undakat alias Thakker & Ors.	.. Respondents/Prop.Defts.

Mr.Sanjay Jain a/w. Ms. Sarika Mehra and Ms.Sumeet Bansod i/b L J Law
for plaintiff Nos.1A, 2A to 2C.

Ms.Kavita A. Shah for respondent no.1 in CHS/357/2012.

Mr.Asutosh Shukla i/b M.U.Pandey for defendant nos.1A to 1C, 2 and 3.

Mr.Chetan Kapadia i/b Shankar G. Lakhani for defendant nos.4, 5 and Legal
Heirs of defendant no.6.

CORAM : K.R.SHRIRAM, J.

DATE : 29TH AUGUST 2017

P.C.

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1 At the outset, Mr.Jain appearing for applicant seeks leave to amend

the Schedule to the chamber summons. Leave granted. Amendment to be carried out forthwith. Re-verification dispensed with.

2 This chamber summons is taken out to bring on record legal heirs of defendant No.6 who expired on 25th February 2015. Mr. Kapadia appearing for defendant Nos.4, 5 and legal heirs of defendant no.6 states that they have no objection being brought on record.

3 Therefore, chamber summons is allowed in terms of prayer clauses (a) and (b) except portion bracketed in red ink which is '(II)' to the schedule. Amendment to the plaint to be carried out and amended plaint to be served within three weeks from today. Chamber summons disposed accordingly.

4 I am informed that all defendants have filed written statement. Therefore, the newly added defendants to file written statement within two weeks of receiving the amended plaint.

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5 Mr.Jain for applicant seeks some more time to show that respondent Nos.2, 3 and 4 have been served this chamber summons.

6 If within one week, affidavit of service confirming service of respondent nos.1, 2 and 3 is not filed, chamber summons will stand dismissed without further reference to the Court so far as respondent nos.2, 3 and 4 are concerned.

So far as respondent no.1 is concerned, Ms.Shah appearing for respondent no.1 states she has no objection if respondent no.1 is brought on record.

7 As last chance, stand over to 12th September 2017.

(K.R. SHRIRAM, J.)