

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.841 OF 2012

IN

TRUST PETITION NO.4 OF 2011

Zafar Nadir Camar

... Applicant

and

Tajunissa Dalvi and others

... Petitioners

Mr Ramesh Shinde for Applicant.

Mr S.U. Kamdar, Sr. Counsel i/b Ms Nisha Valani for Petitioners.

CORAM : B.P. COLABAWALLA, J.

DATE : DECEMBER 08, 2017

P.C.:

1. This Chamber Summons has been filed seeking that the Petitioners be directed to join the Applicant as a party Respondent in the above Trust Petition. The Applicant claims that he was a Trustee of the Sherifabai Kutubuddin Wakf-ul-Aulad Trust and was wrongly removed. The applicant is also a beneficiary under the said Trust. The Applicant seeks to oppose this Trust Petition for the reasons stated in the affidavit in support. I do not think that any prejudice will be caused to the Petitioners if the Applicant is heard when the

Trust Petition is set down for hearing. In these circumstances, there is no necessity for joining the Applicant as a party Respondent to the Trust Petition but can certainly intervene in the matter. It is however made clear that the Applicant shall be entitled to file an affidavit in reply opposing the Trust Petition if he, so chooses. The Chamber Summons is disposed of in the aforesaid terms. List the Trust Petition for hearing on 12th January 2018.

(B.P. COLABAWALLA, J.)