

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

**CHAMBER SUMMONS NO. 881 OF 2017
IN
SUIT NO. 2656 OF 2007**

Bindiya Chawla alias
Bindiya Walia & Ors. .. Applicants

In the matter between

Bindiya A. Chawla & Ors. .. Plaintiffs

v/s.

Ajay Lajpat Rai Chawla & Ors. .. Defendants

Ms. Pooja Kane i/b Dhruve Liladhar & Co. for defendant no.1
Ms. Nishtha Mohanty i/b Crawford Bayley & Co. for defendant nos. 2
and 3
Mr. Vaibhav S. a/w B. Gandhi i/b Jayakar & Partners for the
applicants / plaintiffs

**CORAM : M.S. SANKLECHA, J.
DATED : 13th OCTOBER, 2017**

PC.

1. This Chamber Summons has been taken out to amend the
plaint by substituting the original defendant no.4 Mrs. Chander
Chawla who has passed away, by her legal heir Mr. Lajpatrai Chawla,
who is already defendant no.2 in the present proceedings. Besides,
the application seeks to amend the plaint to bring on record certain

subsequent events.

2. The proposed amendment to the plaint has been necessitated on account of the death of the original defendant no.4 on 1st December, 2016. Consequent to death of the original defendant no.4 on 1st December, 2016, the plaintiffs are claiming right to certain properties on account of the Will dated 18th August, 2004 executed by defendant no.4. These events are subsequent to the filing of the suit and are necessary for full and complete disposal of the dispute between the parties.

3. Accordingly, the Chamber Summons is allowed in terms of prayer clause (a).

(M.S. SANKLECHA, J.)