

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO.782 OF 2017
IN
SUIT NO.2877 OF 2007**

M/s. Villayati Ram Mittal

....Applicants/Plaintiffs

Vs.

Mahesh Jayantilal Khandwala and Ors.

....Defendants

Mr. S.K. Chaurasia i/b. SKC Legal for applicants/plaintiffs.

Mr. B.B. Parekh for defendant nos.1 to 4 and for respondents in CHS/782/2017.

Mr. Sanjeev Singh for defendant no.5.

CORAM : K.R.SHRIRAM, J.

DATE : 11th AUGUST, 2017

PC.:

1 The chamber summons is taken out by plaintiffs to bring on record the legal heirs of defendant no.2, who are respondents to the present chamber summons. Defendant no.2 expired on 30th April, 2017. Mr. Parekh, counsel for respondents has no objection.

2 Therefore, the chamber summons is allowed and accordingly disposed in terms of prayer clause – (b). There is no Schedule of amendment annexed to the chamber summons.

3 Mr. Chaurasia, counsel for plaintiffs states that plaintiffs only wish to delete the name of defendant no.2 and add respondents as defendant nos.2(a) to 2(c) and their names and addresses are found in the cause title.

4 Registry to permit amendment only to the cause title in the
plaint, written statement and other ancillary documents.

5 Amendment to be carried out and copy of the amended plaint
to be served upon defendants including newly added defendants within two
weeks from today.

6 Mr. Parekh waives service of the writ of summons on behalf of
newly added defendants.

7 Should newly added defendants wish to file any further
written statement, they may do so within four weeks of receiving copy of
the amended plaint.

8 Stand over to 29th September, 2017 for directions.

(K.R. SHRIRAM, J.)