

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

**CHAMBER SUMMONS NO.1480 OF 2016
IN
SUIT NO.1756 OF 2010**

Purshottambhai @ Dantubhai N.TankApplicant/Plaintiff

V/s.

Smt.Kashiben Dhanji Tank & Ors.Defendants

None for the plaintiff.

Mr.Shashikant Chaudhari a/w Ms.Snehal Deshmukh i/by
Maharashtra Law Associates for the applicant/plaintiff.

Mr.Amogh K.Karandikar for defendant nos.2,3 & 12.

Ms.Rujuta Patil i/by Negandhi Shah & Himayatullah for defendant
nos.32 & 33.

CORAM : K.R.SHRIRAM,J

DATE : 16.1.2017

P.C.:-

1 This chamber summons is to bring on record the applicant as legal heir of the plaintiff who, it is stated, expired on 24.4.2016. First of all, in paragraph-2 it is mentioned that apart from the applicant, there are 3 sons of the deceased plaintiff. The schedule does not mention about these 3 sons being brought on record. Secondly, the applicant appears to be an illiterate person who has only put thumb impression in the affidavit in support with no further endorsement as to whether affidavit has read out to the deponent or whether deponent has understood.

2 At this stage, the counsel for the applicant seeks leave to withdraw the chamber summons with liberty to take out fresh chamber summons with proper schedule and proper explanation. Chamber summons dismissed as withdrawn.

(K.R.SHRIRAM,J)