

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

**NOTICE OF MOTION NO. 319 OF 2015
WITH
NOTICE OF MOTION NO. 873 OF 2015
IN
SUIT NO. 3125 OF 1992**

Dharamdas Chelaram Rajwani alias
Dharamdas Chelaram Rajwani & Anr. .. Applicants

In the matter between :

Rajan Vashdev Rajwani & Anr.Plaintiffs
V/S
Dharamdas Chelaram Rajwani alias
Dharamdas Chelaram Rajwani & Anr. ...Defendants

Mr.Aditya Shiralkar i/b Ranjit and Co. for plaintiffs.

Mr.Satyan N. Vaishnava a/w. Ms. Nupur J. Mukherjee i/b M/s. N.N.
Vaishnawa and Co. for original defendant no.2.

**CORAM : K.R.SHRIRAM, J.
DATE : 20TH APRIL, 2017**

P.C.

1 Mr.Shiralkar for the plaintiffs submits that defendant no.2 expired on 12th August 2016. Mr.Shiralkar states that he got the details of the legal heirs on 20th April 2017 and tenders draft amendment.

2 The draft amendment is taken on record and marked 'X' for identification. Leave to amend the plaint, as per the draft amendment

tendered, is granted. It is clarified that the portion bracketed in red ink is not permitted. Amendment to be carried out and the amended suit to be served within two weeks from today.

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3 Shri Vaishnava for defendant no.2 states that he is yet to receive instructions from the legal heirs of defendant no.2 in view of demise of defendant no.2. Mr.Vaishnava seeks leave to withdraw the notice of motion.

Notice of motion dismissed as withdrawn.

4 Pending motion/s adjourned to 15th June 2017.

(K.R. -SHRIRAM, J.)