

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

NOTICE OF MOTION NO.1925 OF 2010

IN

SUIT NO.1756 OF 2010

Purshottambhai @ Dantubhai N. Tank

....Applicant/Plaintiff

Vs.

Dhanji N. Tank and Ors.

....Defendants

None for the plaintiff.

Mr. Amogh K. Karandikar for the defendant nos.1 to 3.

Ms. Rujuta Patil a/w. Ms. Niyathi Kalra i/b. Negandhi, Shah and Himayatullah for the defendant nos.32 and 33.

CORAM : K.R.SHRIRAM, J.

DATE : 9th FEBRUARY, 2017

P.C.:

1 Ms. Patil, counsel appearing for defendant nos.32 and 33 makes a statement that after the demise of the plaintiff, the plaintiff had taken out a chamber summons no.1480 of 2016 to bring on record the legal heirs of the plaintiff but on 16th January, 2017 the applicant withdrew the chamber summons and therefore, as on date the suit has stood abated.

2 I agree with Ms. Patil. In view of the above, the notice of motion also does not survive and accordingly stands disposed.

(K.R. SHRIRAM, J.)