

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION**

**CHAMBER SUMMONS NO.103 OF 2015
IN
NOTICE OF MOTION NO.65 OF 2015
IN
TESTAMENTARY PETITION NO.377 OF 2010**

Dr.Sharmila Avinash Jadhav)....Applicant/3rd party

IN THE MATTER BETWEEN :

Sampat Pandurang Khelkar)....Petitioner

V/s.

Alka Remesh Sharma alias Alka Vithalrao)
Hande & Ors.)....Respondents

None for the petitioner.

Mr.N.D.Jaywant i/by Asutosh O.Shukla for the applicant in Notice of Motion No.65/2015.

Mr.Yadunath Chaudhari i/by Reena Salunkhe for applicant in Chamber Summons No.103.2015 and for respondent in Notice of Motion No.65/2015.

**CORAM : K.R.SHRIRAM,J
DATE : 11.1.2017**

P.C.:-

1 This chamber summons is taken out to direct the applicant in the Notice of Motion to join the applicant in the chamber summons as respondent to the Notice of Motion. According to the applicant, allegations have been made against the applicant in the affidavit in support that it was forged by the applicant along with other sisters in collusion with the petitioner. The counsel states that if Notice of Motion is allowed, then the allegations made against the applicant

will stand uncontroverted.

2 In my view, the applicant is justified in asking to be joined as a party in the Notice of Motion in view of the allegation of forgery made in the affidavit in support of the Notice of Motion. Therefore, chamber summons is allowed in terms of prayer clause-(a). Applicant in Notice of Motion No.65 of 2015 to take steps to amend the Notice of Motion. Amendment to be carried out and amended Notice of Motion to be served within two weeks. Affidavit in reply to the Notice of Motion to be filed within two weeks thereafter.

Notice of Motion be listed for hearing on 23.2.2017.

(K.R.SHRIRAM,J)