

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBAER SUMMONS NO. 1047 OF 2017
IN
SUIT NO. 3299 OF 2003
WITH
CHAMBERS UMMONS NO. 1051 OF 2017
WITH
CHAMBER SUMMONS NO. 1052 OF 2017

Haji Ismail Haji Musafirkhana Trust & Ors	...Plaintiffs
<i>Versus</i>	
Yusuf Saleh Mohammad Jafarani & Ors	...Defendants
<i>And</i>	
Noorbano Mehboob Khan & Anr	...Applicants

Mr Farhan Dubash, a/w Ms Apeksha Munot, Vyomi Chande, i/b
Wadia Ghandy & Co, for Plaintiff No. 7.
Mr SS Lanke, for the Applicants/Intervenors.
Mr Ivor P D'Cruz, for Defendants Nos. 7A, 7C to 7E, 8, 11, 15(A) to
15(G), 19, 26, 32, 33 & 34.

CORAM: G.S. PATEL, J
DATED: 18th December 2017

PC:-

1. The Applicants seeks to implead the heirs and legal representatives of Defendants nos. 11, 18 and 25.

2. The Chamber Summons is allowed. Amendment to be carried out within a period of three weeks from today. A copy of the amended plaint will have to be served on the newly added Defendants within two weeks thereafter.

3. Plaintiff no. 7 will carry out the necessary amendments and reverify the plaint.

4. We are now told that Defendant no. 24 also expired. Mr D'Cruz has intimated the name of the legal heirs to the advocate for the Plaintiffs. I will dispense with the filing of the Chamber Summons and allow by this order an impleadment of the heirs and legal representatives of Defendant no. 24. Service is to be effected in the same manner. This amendment is also to be carried out within a period of three weeks from today and service will be effected two weeks thereafter.

5. This is without prejudice to the rights and contentions of the Plaintiffs and noting specifically that the Plaintiffs do not acknowledge or admit the rights claimed by any of the Defendants or their heirs or successors.

6. The Chamber Summons is disposed of in these terms. There will be no order as to costs.

7. Plaintiff no. 7 is permitted to reaffirm the plaint for the purposes of all these amendments.

(G. S. PATEL, J)