

2. By this chamber summons, the applicant seeks to implead the legal heirs of the original defendant no.1 who expired during the pendency of the suit. The plaintiff came to know about the demise of the defendant no.1 and particularly his legal heirs on 20th September,

2016. No affidavit in reply is filed by any of the defendants. I have heard learned counsel appearing for the parties and I have perused the averments made in the affidavit in support of the chamber summons. For the reasons recorded in the affidavit in support of the chamber summons, the applicant has made out a case for grant of reliefs as prayed including condonation of delay. Delay is sufficiently explained in the affidavit in support of the chamber summons. Chamber summons is accordingly made absolute in terms of prayer clauses (a) and (b). No order as to costs. Amendment to be carried out within two weeks from today. Amended copy of the plaint shall be served upon the defendants' advocates including newly added defendant within two weeks from the date of carrying out amendment. Place the pending notice of motions in the suit on board for hearing and final disposal on **29th November, 2017.**

3. Ad-interim protection granted by this court against the original defendant no.1 shall continue against the newly added parties impleaded in the place of the original defendant no.1 during the pendency of the notice of motion.

(R.D.DHANUKA, J.)