

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

**CHAMBER SUMMONS NO. 355 OF 2017
IN
SUIT NO. 841 OF 2015
WITH
NOTICE OF MOTION NO. 1681 OF 2015
WITH
NOTICE OF MOTIN NO. 953 OF 2017**

Kalyani Yellappa Dhotre & Ors.	...Plaintiffs
Vs.	
Rajnikant Bhau Bhaip & Ors.	...Defendants

Mr.E.A. Sasi for Plaintiffs/Applicants in CHS 355/2017.
Ms.Aditi Bhat I/b. Makrand Gandhi & Co. for Defendant Nos.7 and 8
/Applicants in NMC 953?2017.

CORAM : S.C. GUPTE, J.

DATE : 24 SEPTEMBER 2018

P.C. :

Heard learned Counsel for the parties.

2 The chamber summons is for bringing on record legal heirs of deceased Plaintiff No.1. There is a delay of 42 days in taking out the chamber summons. For the reasons stated in the affidavit in support of the chamber summons, the delay is condoned and the chamber summons is allowed in terms of prayer clauses (a) and (b). Amendment to be carried out within two weeks. The chamber summons is disposed of. The Plaintiffs are at liberty to amend the schedule of amendment annexed to the chamber summons and amend the plaint accordingly.

3 Notice of Motion No.953/2017 is filed by Defendant Nos.7 and 8 for recall of an order transferring the suit to the list of Undefended Suits against Defendant No.7 and 8 and seeking leave to file their written statement. For the reasons stated in the affidavit in support of the notice of motion, the notice of motion is made absolute in terms of prayer clauses (a), (b) and (c). The notice of motion is disposed of.

4 Learned Counsel for Defendant Nos.7 and 8 tenders her clients' written statement. The same is taken on record.

5 Notice of Motion No.1681/2015 is stood over to 9 October 2018.

(S.C. GUPTE, J.)