

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 1197 OF 2016
IN
EXECUTION APPLICATION NO. 163 OF 1987
IN
SUMMARY SUIT NO. 3012 OF 1984

Canara Bank	...Plaintiff
<i>Versus</i>	
RM International & Ors	...Defendant
<i>And</i>	
Bharat Jivandas Karani & Ors	...Applicants

None for the Plaintiff.
Mr Mehul Shah, for the Applicant.

CORAM: G.S. PATEL, J
DATED: 29th January 2018

PC:-

1. When the Suit was filed in 1984 the Plaintiffs were represented by M/s Smetham Byrne Lambert & Dubash, a firm that I believe is no longer in existence.

2. The Applicants are the heirs of the auction purchaser. They seek a direction to the Commissioner for Taking Accounts to issue a Sale Certificate in their favour in respect of the 1/7th share of

Defendant No. 2 and the 1/7th share of one Sitabai M Karani (deceased) in an immovable property known as Damodar Mahal, Cumballa Hill Road, Mubmai 400 036. This certificate is to be in terms of the previous Commissioner's Certificate dated 9th January 2017, a copy of which is at pages 11A, 11B and 11C of the paperbook.

3. There is an Affidavit of Service showing that the Applicants have served the Plaintiffs directly more than once, most recently on 30th November 2017. None appears for the Plaintiffs and there can be no objection to the reliefs sought.

4. The Chamber Summons is made absolute in terms of prayer clauses (a) and (b). There will be no order as to costs.

(G. S. PATEL, J)