

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

CHAMBER SUMMONS NO. 638 OF 2017

IN

SUIT NO. 2454 OF 2012

Pride Associates & Ors.	...Plaintiffs
vs.	
Damodardas B. Bhuta & Ors.	...Defendants
and	
Naresh Damodardas Bhuta & Ors.	...Proposed Defendants

Ms.Sheela Mistry I/b. Nilam Pawar for Plaintiffs.

Mr.Vyom Shah with Shraddha Ambre I/b. Divya Shah & Associates for Defendant Nos.2 to 6.

Mrt.Phiroze Merchant I/b. Kanga & Co. for Defendant Nos.7 and 8.

Mr.Sandeep Dhangar with Pras S. Gosar I/b. Jayesh Vyas for Defendant Nos.9 to 11.

CORAM : S.C. GUPTE, J.

DATE : 12 OCTOBER 2018

P.C. :

The present chamber summons is taken out by the Plaintiffs for bringing legal heirs of deceased Defendant No.1 on record. There is a delay in taking out the present chamber summons. For the reasons stated in the affidavit in support of the chamber summons, the delay is condoned. The abatement, if any, is set aside and the Plaintiffs are permitted to amend the plaint by bringing legal heirs of deceased Defendant No.1 on record.

2 Learned Counsel for the Plaintiffs/Applicants points out certain errors in the schedule of amendment annexed to the chamber summons. Learned Counsel submits that Defendant No.1 has been mistakenly referred

to as Respondent No.10 in the schedule of amendment. Learned Counsel submits that there are some further typographical errors contained in the schedule and that she may be permitted to substitute the schedule. The Plaintiffs/Applicants are, accordingly, permitted to substitute the schedule of amendment and carry out the amendment within three weeks.

3 The chamber summons is disposed of accordingly.

(S.C. GUPTE, J.)