

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

CHAMBER SUMMONS NO.1054 OF 2018

IN

SUIT NO.224 OF 1961

Damayanti Madhusudanlal Pittie)....Applicant/plaintiff
V/s.

Maheshchandraj Agarwal & Ors.)....Defendants

WITH

JUDGES ORDER 88 OF 2017

Mr.Zal Andhyarujina a/w Mr.Hursh Meghani, Mr.Varun Satiya and Mr.Arun Unnikrishnan I/by Crawford Bayley and Co. for plaintiff.

Mr.B.N.Shukla I/by M/s.D.J.Kamdin and Co. for defendant nos.1(b), 1(c), 3A, 3B, 5 and 6 and for proposed defendant no.4(a) and for respondent no.4 in NMS 2959 of 2016 and NMS 260/2016.

Mr.Jitendra B.Mishra for applicant in NMS 2959/2016, NMS 2960/2016 and CHS 807/2018 and CHS 810.2018.

CORAM : K.R.SHRIRAM,J

DATE : 11.9.2018

P.C.:-

1. None of the defendants present today have any objection for granting the relief as prayed for in the Chamber summons.

Mr.Andhyarujina for the applicant on instructions states that all, including proposed defendants have been served.

2. In the circumstances, Chamber summons allowed in terms of prayer clause-(a). Amendment to be carried out and amended plaint to be served within 3 weeks.

CHAMBER SUMMONS NO.807 OF 2018**CHAMBER SUMMONS NO.810 OF 2018**

1. Though not listed on board, by consent taken up for hearing.
2. These Chamber summons are effectively to delete defendant no.4 in Notice of Motion No.2961 of 2016 and Notice of Motion No.2959 of 2016 and change the name of Baba Madhavlal into Vivek Madhavlal Pittie. This amendment has already been carried out to the plaint. Therefore, I see no prejudice will be caused to any party if these chamber summons are allowed.
3. Chamber summons accordingly allowed. Notice of Motion to be amended forthwith. Re-verification dispensed with.

JUDGES ORDER NO.88 OF 2017

1. Mr.Shukla for defendant nos.1(b), 1(c), 3A, 3B, 5 and 6 and for proposed defendant no.4(a) seeks leave to withdraw the Judges Order with liberty to apply afresh. Judges Order dismissed as withdrawn with liberty as prayed for.

Jahagirdar
Kiran
Ganesh

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Kiran Ganesh
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(K.R.SHRIRAM,J)