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

CHAMBER SUMMONS NO.140 OF 2018
IN
TESTAMENTARY SUIT NO.101 OF 2018
IN
TESTAMENTARY PETITION NO.810 OF 2018

Kavita P. Date ...Applicant

IN THE MATTER BETWEEN :

Namrata M. Wadhwa & Anr. ...Plaintiffs

V/s.

Kavita P. Date ...Defendant

Mr.Karan Halai I/b Singh & Singh for the Applicant in the Chamber Summons.

Mr.Rohan Cama I/b Ms.Sapna Rachure for the Original Plaintiffs.

Mr.Nilkanth Gharkar I/b Mr.Arvind Manghiranandi for the Defendant Nos.1 and 2.

CORAM : R.D. DHANUKA, J.
DATE : 7TH DECEMBER, 2018.

P.C. :-

1. By this chamber summons, the applicant, who claims to be one of the joint executor under the alleged Will seeks impleadment as the plaintiff or in the alternative as the defendant in the Testamentary Suit No.101 of 2018. Mr.Cama, learned counsel appearing for the plaintiffs proceeds on the basis of denial and would

submit that his clients have no objection if the applicant is impleaded in the suit, in view of the applicant being one of the joint executor in the alleged Will left by the deceased testator. The statement is accepted.

2. The original plaintiffs are directed to implead the applicant as the defendant no.3. The amendment to be carried out within two weeks from today. Learned counsel appearing for the applicant states that certain properties of the deceased were included in Schedule – A to the testamentary petition. Mr.Cama, learned counsel for the plaintiffs states that he will take instructions and if any such properties are not included in the Schedule and if any such properties form part of the Schedule, his clients would take appropriate steps to include those properties in the Schedule. The statement is accepted.

3. The chamber summons is disposed of in aforesaid terms. There shall be no order as to costs.

(R.D. DHANUKA, J.)