

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

CHAMBER SUMMONS NO. 717 OF 2019

IN

SUIT NO. 2393 OF 2001

WITH

SUIT NO. 2393 OF 2001

Asif Ahmedally Porbandarwalla	...	Applicant/Plaintiff
Versus		
Daulat Akbarali Porbandarwalla & Ors.	...	Defendants
And		
Zareer A. Porbunderwalla & Ors.	...	Respondents

Mr. Ziyad Madon with Mr. Sachin Kudalkar i/b Madekar & Co. for the Plaintiff.

Mr. Vinit Ahuja for Defendant No.1.

Mr. Akshay Sawant i/b M/s. Chitnis Vaithy & Co. for Defendant Nos.5 to 7.

CORAM : R.I. CHAGLA, J.

DATED : 28th AUGUST, 2019.

P.C. :

1 The Chamber Summons has been taken out in the above Suit for amendment of the plaint in terms of the proposed amendments set out in the schedule annexed to the Chamber Summons. The amendment sought to be brought is the deletion in the name of Defendant No.5 who

has expired and for bringing the legal heirs of Defendant No.5 as Defendant Nos.5(a) to 5(c) on record. The amendment also seeks the deletion of the name of Defendant No.3 against whom the Suit does not survive as she was joined only in her capacity as trustee of the Ali Mohamed K. Porbanderwala Family Trust. There is no opposition to the relief being granted in the Chamber Summons.

2 Accordingly, the Chamber Summons is made absolute in terms of prayer clauses (a), (b) and (c). The Plaintiff shall carry out the amendment within a period of two weeks from the date of this order. Chamber Summons is accordingly disposed of.

3 The Suit shall be placed for marking of documents on 26.09.2019.

(R.I. CHAGLA, J.)