

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 1202 OF 2016
IN
SUIT NO. 838 OF 2012

Puriben Bhogilal Doshi & Ors. Applicants

IN THE MATTER BETWEEN

Viraj Jhaveri Plaintiff

VERSUS

Ramilaben Shamji Jhaveri & Ors. Defendants

Ms.Avanti Mankar, i/b. Mr.Jitendra Shukla for the Plaintiff/Applicants.

CORAM : R.D. DHANUKA, J.

DATE : 11th JANUARY, 2019

P.C.

Learned counsel appearing for the applicants (original plaintiffs) states that all the defendants have been served. The affidavit of service is already filed. None appeared for the defendants or the proposed defendants though served.

2. The applicants seek to bring the legal heirs of the defendant no.8 who expired on 7th September, 2015. Delay in filing consent terms is sufficiently explained in the affidavit in support of the chamber summons.

3. For the reasons recorded in the affidavit in support of the chamber summons, chamber summons is made absolute in terms of prayer clauses (a) and (b).

4. Amendment to be carried out within two weeks from today. Amended copy of the plaint shall be served upon the defendants' advocates and also upon the newly added defendants within two weeks from the date of carrying out amendment.

5. If the written statement is not filed by any of the defendants, the same shall be filed within six weeks from the date of service of the amended copy of the plaint and shall serve a copy thereof upon the plaintiff's advocate simultaneously.

6. Chamber summons is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]