

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

CHAMBER SUMMONS NO. 700 OF 2019

IN

SUITS NO. 1378 OF 2018

Mrs.Rekha S. Dewan @ Rekha Surjit Walia ...Applicant
(Orig.Plff.)

In the matter between

Mrs.Rekha S.Dewan @ Rekha Surjit Walia ...Plaintiff.

Versus

1.Surinder S. Walia And Ors ...Defendants

And

1.Beena Surinder Walia And Ors ...Prop.Respondent 1(a) to 1(c)

Mr.Anam Fatima, for the Applicant.

Mr.Pradeep J.Thorat, for Defendant nos.3 and 4.

CORAM : G.S. KULKARNI, J.

DATE : 18th November, 2019

P.C.:

1. By this Chamber Summons, the applicant has prayed that defendant no.1 be deleted and respondent nos.1(a) to 1(c) be added as defendant nos.1(a) to 1(c) as the legal representatives of deceased defendant no.1.

2. I have heard the learned Counsel for the parties and I have perused the affidavit in support of the chamber summons. It is in the interest of justice that the Chamber summons is allowed. It is accordingly allowed in terms of prayer clauses (a) and (b) which read thus:-

“(a) That the name of the Defendant No.1 be deleted and the name of the Respondent no.1(a) to 1(c) be added as Defendant no.1(a) to 1(c) being the heirs and legal representatives of deceased Defendant No.1 in the above suit and other proceedings as per the Schedule annexed herewith.

(b) That the Applicant/original Plaintiff be directed to amend the Plaint and other proceeding and consequential amendment to be carried out to the proceeding in the above suit and proceeding.”

3. Necessary amendment be carried out within two weeks from today. A copy of the amended plaint be served on the defendants.

[G.S. KULKARNI, J.]