

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

CHAMBER SUMMONS NO.855 OF 2019
IN
SUIT NO.845 OF 2014

Mr. Shapur Dadabhoy Broacha ...Plaintiff

V/S.

Ms. Pirojbai (Pilloo) Dadabhoy And Ors. ... Defendants

Mr. Clive D'souza for Plaintiff / Applicant to the Chamber
Summon.

Ms. Nupur J. Mukherjee i/b. N.N. Vaishnawa & Co. for
Defendants.

Mr. D.M. Vyas i/b. Mr. Dharmesh Jain for Applicant to
NMS/1107/2016.

Mr. N.A. Bhandodkar, IInd Assistant to Court Receiver present.

CORAM : B. P. COLABAWALLA, J.
DATED : 08th AUGUST, 2019.

P.C.

1. Not on Board. By consent of parties, taken on
Board.

2. The present Chamber Summons has been filed by
the Applicant who is the son of the Deceased – Plaintiff. The
Original Plaintiff expired on 12.06.2019 and in these

circumstances the present Chamber Summons has been filed. The learned Advocate appearing on behalf of all the Defendants has fairly stated before me that the Defendants have no objection, if the Chamber Summons is allowed and the Applicant is substituted as the Plaintiff in the above Suit.

3. In these circumstances, the Chamber Summons is allowed in terms of prayer Clause (a) which read thus:

“(a) That this Hon'ble Court be please to allow the Applicant / Respondent to be joined as the Plaintiff in the above Suit No.845 of 2014 in the place and stead of the deceased Plaintiff and the amendments as per the Schedule annexed hereto be allowed.”

4. The amendment shall be carried out within a period of one week from today and a copy of the amended plaint shall be served on the Advocates for the Defendants and so also on the Receiver within a period of one week thereafter.

5. The Chamber Summons is disposed of in the aforesaid terms.

(B. P. COLABAWALLA, J.)