

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 788 OF 2013
IN
SUIT NO. 1385 OF 2008

Sanjeev Jitendranath Vohra	...Plaintiff
<i>Versus</i>	
Varun Satish Jolly & Anr	...Defendants
<i>And</i>	
Sangeets S Vohra & Drishti S Vohra	...Applicants

Mr Sidharth Samantaray, with Jimish Shah, i/b Divya Shah
Associates, for the Plaintiff/Applicants.
Mr SS Bobde, i/b M/s Motiwalla & Co., for Defendant No. 1.

CORAM: G.S. PATEL, J
DATED: 26th February 2019

PC:-

1. The Chamber Summons seeks to set aside an abatement and to delete the name of the deceased sole Plaintiff as also to implead his heirs and legal representatives. Though once dismissed for default, the Chamber Summons was restored to file by my order dated 4th February 2019.

2. It is also pointed out that by virtue of the Consent Terms dated 27th March 2018 in Suit No. 756 of 2008 it was agreed that

the 2nd Defendant to the present suit, viz., Staubli India Private Limited would stand deleted. That amendment is also permitted.

3. The Chamber Summons is made absolute. The necessary amendments (including the deletion of the 2nd Defendant) are to be carried out without need of reverification on or before 11th March 2019. A copy of the amended plaint will be served on the Advocates for the Defendants within one week thereafter.

4. List the suit for directions on 19th March 2019.

5. The Chamber Summons is disposed of in these terms. There will be no order as to costs.

(G. S. PATEL, J)