

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 895 OF 2017
IN
SUIT NO. 1930 OF 2009**

Shivangi Poddar Bansal ...Applicant
In the matter between

Umarani Dugaprasad Poddar ...Plaintiff
Versus

Shantibai Sohanlal Jhuria & ors. ...Defendants

Mr. Harshal Manik, i/b Res Legal, for Defendant nos.3 & 4.

Ms. Jayalaxmi C. Gaud, i/b M/s. Parimal K. Shroff & Co., for
Defendant nos.6 & 7.

Mr. M. S. Bhandari, i/b Ms. Pranjali M. Bhandari, for
Defendant no.8.

Mr. D. Siroya i/b Zohair & Co., for Defendant no.9.

Ms. Sayali Apte, a/w Priyanka Naik, i/b P. G. Lad, for the
MHADA.

CORAM: N. J. JAMADAR, J.

DATED : 25th NOVEMBER, 2019

PC:-

1. This chamber summons is taken out by the applicant – Shivangi Poddar – Bansal, who claims to be the legal representative of the plaintiff Umarani Poddar, who died on 27th May, 2017.

2. In the affidavit in support of the chamber summons, it is averred that the original plaintiff Umarani Poddar died on 27th

May, 2017 and she is survived by the applicant and Mr. Durgaprasad Poddar, defendant no.9, her husband.

3. The plaintiff also seeks to implead the legal representatives of Smt. Shantibai Sohanlal Jhuria, original defendant no.1, who is stated to have died on 13th May, 2017. The proposed defendant nos.1A, 1B, 1C and 2 – Ajaykumar Sohanlal Jhuria, are stated to be the legal representatives of deceased defendant no.1 – Shantibai.

4. The plaintiff Umarani Poddar died on 27th May, 2017 and defendant no.1 – Shantibai Jhuria died on 13th May, 2017. The plaintiff had taken out the chamber summons on 27th July, 2017, within the stipulated period. It seems that none of the parties have filed any objection to the chamber summons.

5. Having regard to the fact that the chamber summons was taken out within the stipulated period, the chamber summons stands allowed in terms of prayer clauses (a) and (b).

6. The plaintiff shall carry out necessary amendments in the cause-title of the plaint and the consequential amendments as per the schedule annexed to the chamber summons within three weeks from today.

7. The plaintiff shall serve copy of the amended plaint on the parties and writ of summons be issued to the newly added defendant nos.1A to 1C, returnable on 20th January, 2020.
8. The chamber summons stands disposed of accordingly.

[N. J. JAMADAR, J.]