

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

CHAMBER SUMMONS NO.967 OF 2017
IN
SUIT NO.795 OF 2014

Pragatee Associates ... Applicant / Plaintiff
V/S.
Rammurti Lalchand Goyal & 2 Ors. ... Defendants

WITH
NOTICE OF MOTION 1445 OF 2014
IN
SUIT NO.795 OF 2014

Pragatee Associates ... Applicant / Plaintiff
V/S.
Rammurti Lalchand Goyal & Ors. ... Defendants

Chitrangada Singh i/b. Clove Legal for Plaintiff / Applicant.
None present for Defendants.

CORAM : B. P. COLABAWALLA, J.
DATED : 06th SEPTEMBER, 2019.

P.C.

1. This Chamber Summons has been filed seeking a direction against Defendant No.2 to provide a schedule disclosing the list of legal heirs / representative / administrators / executor along with their details of Defendant No.1, who has passed away. According to the Plaintiff, they

became aware that Defendant No.1 passed away only in June 2017, and thereafter, have filed this present Chamber Summons seeking the aforesaid directions against Defendant No.2, who is the son of the deceased - Defendant No.1. Despite service, none appeared on behalf of Defendant No.2. For the reasons stated in the Affidavit-in-support, the Chamber Summons is allowed in terms of prayer Clause “a” which reads thus:

- (a) That this Hon’ble Court be pleased to direct the Defendant No.2 to provide a schedule disclosing the list of heirs / legal representatives / administrator / executor and their details (age, occupation and address) of the Defendant No.1 as the case may be along with the copy of Death Certificate of the Defendant No.1 so as to enable the Plaintiff to amend the Plaint and bring them on record.

2. Defendant No.2 shall provide the aforesaid information within a period of two weeks from the date of service of a copy of this order on the advocate for Defendant No.2 by the advocate for the Plaintiff. Once this information is provided, the Plaintiff shall be at liberty to take out an appropriate application for bringing the heirs and legal representative of Defendant No.1 on record. The Chamber

Summons is accordingly disposed of. No order as to costs.

(B. P. COLABAWALLA, J.)