

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS No. 1028 of 2017

IN

SUIT No. 579 of 2014

Prafullachandra Mahadeo Patil & Ors .. ..Applicants/  
Original Plaintiffs.

Vs

Raj Homes Pyramid Group & Ors .. Defendants.

Mr. K.V. Tembe for the Applicants/Plaintiffs.

Mr. Babu M.B. h/f Mr G.S.Bhal for Respondent No. 1 and 2.

**CORAM : B. P. COLABAWALLA, J.**

**DATED :- 4TH JANUARY, 2019.**

**P.C. :**

1           This Chamber Summons has been filed by the plaintiffs seeking to delete the name of Defendant No.2 (Raj Motilal Kandhari) who has expired and his heirs are sought to be brought on record as proposed defendant No.2 (a) to 2 (d).

2           For the reasons stated in the affidavit in support of the Chamber Summons, the same is allowed in terms of prayer clauses (a) and (b), which read thus:

|    |                                                                                                                                                                                                                                                                                                                                                    |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a) | <i>“That the Plaintiff be allowed to be amended by deleting name of the Defendant No.2 from the Title of the Plaintiff and by substituting the same by adding the names of proposed Defendants No. 2 (a) to 2 (d) as per the proposed amendment at Exh.A hereto and all other legal heirs and representatives of the Deceased Defendant No.2 .</i> |
| b) | <i>That all the consequential amendments be made in view of the amendments as prayed for in prayer (a) hereinabove.”</i>                                                                                                                                                                                                                           |

3           Amendment to be carried out within a period of two weeks from today and the amended plaintiff be served on all the defendants within a period of four weeks thereafter.

4           The Chamber Summons is disposed of in the aforesaid terms. No order as to costs.

**(B.P. COLABAWALLA, J.)**