

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS No. 1272 of 2018

IN

SUIT No. 622 of 2013

Kumarpal Dharamshi Shah ..Applicant.

In the matter between :-

Dharamshi Ratanshi Shah & Anr ..Plaintiffs.

Vs

Nahar Estate Pvt. Ltd. & Anr ..Defendants.

Ms. Prerna Lalchandani I/by Omkar Kulkarni for the Plaintiff/applicant.

Mr. Shubhan Mittal a/with Mr. Filji Fredrick I/by F.F. & Associates for Defendants.

CORAM : B. P. COLABAWALLA, J.

DATED :- 11TH JANUARY, 2019.

P.C. :

1) This Chamber Summons has been filed by the plaintiffs to bring on record the legal heirs of deceased Plaintiff No.1 who expired on 24th April, 2018.

2) For the reasons stated in the affidavit-in-reply in

support of the chamber summons, the same is allowed in terms of prayer clause (a) and (b) which read thus :-

- “a) That delay of 95 days in taking out the Chamber Summons be condoned and the abatement, if any, be set aside.
- b) That this Court be pleased to join and/or implead the Applicant as Plaintiff No.1 (a) being the legal heir of the Original Plaintiff No.1, by amending the Plaint as mentioned in the schedule annexed to the Chamber Summons and to carry out all consequential amendment.”

3) Amendment to be carried out within a period of two weeks from today and an amended copy of the plaint be served on the defendants within a period of two weeks thereafter.

4) The Chamber Summons is disposed of in the aforesaid terms.

(B.P. COLABAWALLA, J.)