

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO. 1 OF 2019
IN
SUIT NO. 1660 OF 2010**

Mr. Ruty Mehli Birdy & ors. ...Plaintiffs

Versus

Minoo P. Makhania & ors. ...Defendants

Mr. Kunal Dwarkadas, a/w Mr. Nilesch Modi, Ronak Desai, i/b
Rustomji & Ginwala, for the Plaintiff.

Ms. Mhefrin Mehta, i/b M. Mulla Asso., for Defendant nos.1 to
4.

CORAM: N. J. JAMADAR, J.

DATED : 10th DECEMBER, 2019

PC:-

1. Heard the learned Counsels for the parties.
2. The plaintiffs have taken out this application for amending the cause-title of the plaint so as to delete the name of plaintiff no.3 Ms. Nergiz Ratansha Birdy, who has died on 7th August, 2019, at Canada.
3. The plaintiffs further averred that plaintiff no.3 died issue-less and the estate of plaintiff no.3 is already represented by plaintiff nos.1(a) to 1(c), 2, 4(a) and 4(b) and 5 and there is no need to bring any other legal representatives of plaintiff no.3 on record.

4. In view of the averments in the application, the application stands allowed.
5. The plaintiffs shall carry out the necessary amendment in the cause-title of the plaint within a week from today.
6. Defendant no.3 Noshir Dastur, who has filed affidavit in lieu of examination-in-chief, shall remain present before the Court for recording further evidence and marking of documents, on 19th December, 2019.
7. The interim application stands disposed of.

[N. J. JAMADAR, J.]