

vks

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

**INTERIM APPLICATION NO.1 OF 2019
IN
SUIT NO.808 OF 2010**

Nayan Sitaram Garodia	...	Applicant.
Sitaram Shivchandrai Garodia and ors	...	Plaintiffs
V/s.		
M/s Pioneer Construction and ors	...	Defendants

Mr.Vinay Shingada i/by M/s Markand Gandhi & Co., for the plaintiff.

Ms. Juhi P. Jadhav i/by S.A. Bhagwat, for defendant No.1 too 7.

Ms. Shraddha Prajapati, Ms. Pratiksha Koshe, i/by Mahesh Shah & Co., for DefendantNos. 8 and 9

CORAM : N. J. JAMADAR, J.

DATE : 3rd January, 2020.

PC. :

- 1] Leave to amend to substitute the schedule of amendment (Exhibit B).
- 2] Amendment be carried out forthwith.
- 3] The plaintiffs have taken this application to bring the legal representatives of the defendant Nos. 4 and 6 on record, who have died on 28th October, 2018 and 30th October, 2018, respectively. The application is supported with the copies of the death certificates of defendant Nos. 4 and 6, and the affidavit.

4] The plaintiffs were informed vide a communication dated 15th November, 2019, about the death of defendant Nos. 4 and 6 and the legal representatives of the deceased defendant Nos. 4 and 6.

5] In view of the above, application stands allowed.

6] The respondent Nos. 1 & 2 be brought on record as the legal representatives of defendant Nos. 4 and 6.

7] The plaintiff shall carry out the necessary amendment in accordance with the schedule of amendment (Exhibit B) within a period of three weeks.

8] The learned counsel Ms. Juhi Jadhav, waives service of writ of summons on the newly impleaded legal representatives of deceased defendant Nos. 4 and 6.

9] Interim Application stands disposed of accordingly.

[N. J. JAMADAR, J.]