

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

**CHAMBER SUMMON NO. 49 OF 2019
IN
EXECUTION APPLICATION (L) NO. 1160 OF 2018**

Sushil Daji Hatankar & Anr.	...	Applicants
In the matter of		
Daji Narayan Hatankar & Ors.	...	Decree Holders
Versus		
Ankur Corporation, Builders And Developers & Anr.	...	Judgment Debtors

Ms. Vidya Nair i/b Chinmay Gupte for the Applicants.

CORAM : R.I. CHAGLA, J.

DATED : 6th JUNE, 2019.

P.C. :

1 Heard the learned Counsel for the Applicants. The Applicants seeks permission to delete the name of the Decree Holder No.1 as party to the present Execution Application and for permission to the Applicants to bring on record and implead Nikhil Daji Hatankar, Nivedita Daji Hatankar and Nishanth Daji Hatatankar as legal heirs of Decree Holder No.1, who has expired on 18.09.2018, as Decree Holder No.1A, Decree Holder No.1B and Decree Holder No.1C in the present Execution proceedings and for making consequential changes. It is stated in the affidavit in support of the

Chamber Summons that the Chamber Summons has been filed within 90 days from the date of the demise of Decree Holder No.1 on 18.09.2018. An affidavit of service has been filed which evidences service upon the office of the Judgment Debtor No.1 who has accepted the service and signed, stamped and acknowledged on the office copy of the notice.

2 In light of the relief sought in the Chamber Summons, I am inclined to grant relief in terms of prayer Clauses (a), (b) and (c) of the Chamber Summons. Chamber Summons is accordingly made absolute in terms of prayer Clauses (a), (b) and (c).

(R.I. CHAGLA, J.)