

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

CHAMBER SUMMONS NO.26 OF 2018
IN
SUIT NO.1182 OF 2003

Neeta A. Bhandari ...Applicant
vs.
State of Maharashtra and Others ...Respondents

Mr. Naushad Engineer a/w. Mr. Sunil Gunjan, Mr. Jayesh M.,
Mr. Shrikant S. i/b. RMG Law Associates, for the Plaintiff
Ms. Jyoti Chavan, AGP for the Defendant-State.

CORAM : N. J. JAMADAR
DATE : FEBRUARY 17, 2020

P.C.:

- . Heard learned counsel for the Applicant/Plaintiff.
2. The Chamber Summons is taken out to bring the legal representatives of Defendant No. 3 Amrutrao B. Patankar who died on 8th January, 2014. In the Application it is averred that the Plaintiff was informed about the death of Defendant No. 3 by the learned counsel for the Defendant on 27th October, 2017. The learned counsel for Defendant No. 3 has also informed the names of the legal representatives of Defendant No. 3.

3. Learned counsel for the Applicant submits that the proposed legal representatives of Defendant No. 3 have been served with the Chamber Summons. The postal acknowledgments evidencing the service of the Chamber Summons on the proposed legal representatives have been received.

4. The fact that the factum of death of Defendant No. 3 and Defendant N. 3 being survived by the Respondents was informed to the Plaintiff by the learned counsel of Defendant No. 3 on 27th October, 2017 and the Plaintiff has thereafter taken out this Application to bring legal representatives of Defendant No. 3 on 4th January, 2018, warrants that the Application be allowed.

5. Hence, the Application stands allowed.

6. The Plaintiff is permitted to carry out the necessary amendment to the Plaint so as to implead the legal representatives of Defendant No. 3 as proposed in the Schedule

appended to the Chamber Summons.

7. Necessary amendment be carried out within a period of three weeks.

8. The Plaintiff shall serve writ of summons on the newly impleaded Defendants within a period of four weeks thereafter.

9. The re-verification is dispensed with.

10. Chamber Summons stands disposed of.

(N. J. JAMADAR, J.)