

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 251 OF 2021

IN

SUTT NO. 835 OF 2015

Rushab Sanghvi ... Applicants/Plaintiffs

vs.

M/s. Orbit Corporation Ltd and Ors. ... Respondents

Mr. Vishal Mehta and Mr. Christopher D'souza for the Applicant / Plaintiff.

None for the Defendant.

CORAM : A. K. MENON, J.

DATED : 15th FEBRUARY, 2021

P.C. :

1. This interim application seeks leave to amend the plaint in terms of the schedule to incorporate names of the legal heirs of defendant no. 3 who is said to have been expired.

2. The learned counsel for the plaintiffs seeks to implead legal heirs of deceased defendant no.3. He relies upon copies of letter dated 5th July, 2019 addressed to the plaintiffs erstwhile Advocate and letter dated 22nd January, 2020 addressed to the present applicant's Advocate. In view thereof amendment is liable to be allowed. I therefore pass the following order :

**Rajeshwari
R. Pillai**

Digitally signed by
Rajeshwari R. Pillai
Date: 2021.02.15
18:00:10 +0530

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- (i) Interim Application is allowed in terms of prayer clause (a) and (b).
- (ii) Amendment to be carried out within four weeks.
- (iii) Re-verification dispensed with.
- (iv) Returnable date of writ of summons is extended upto 16th April, 2021.

(A.K.MENON, J.)