

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

INTERIM APPLICATION NO.2398 OF 2020

IN

SUIT NO.454 OF 2018

Ram Prakash B. Jaiswar

.. Applicant/Plaintiff

v/s.

Maltidevi B. Jaiswar & Ors.

.. Defendants

Ms. Brenda D'Souza for the plaintiff.

CORAM : A. K. MENON, J.

DATED : 21ST JANUARY, 2021.

P.C. :

1. The learned counsel for the applicant states that defendant no.1 has expired. She seeks leave to delete the name of defendant no.1 from the cause title. She relies upon a copy of the death certificate of the deceased. She submits that the copy has been provided by defendant no.2.
2. The defendants are not represented today. The counsel submits that the defendants have been served with notice of this application. None appears for the defendants. However, considering the averments, I am inclined to allow the same.

3. Accordingly, I pass the following order;

(i) Application is allowed in terms of prayer clause (a).

(ii) Registry to permit the Advocate for the plaintiff to delete the name of defendant no.1 in the plaint and other interlocutory proceedings, if any.

(iii) Amendment to be carried out within three weeks from today.

Re-verification dispensed with.

(A. K. MENON, J.)

Digitally
signed by
Sandhya
Wadhwa
Date:
2021.01.22
17:06:27
+0530