

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

**INTERIM APPLICATION NO.517 OF 2020
ALONG WITH
INTERIM APPLICATION NO.2605 OF 2020
IN
SUIT NO.261 OF 2010**

**V. S.
Parekar**

Nirmalaben Hemendra Patel ...Plaintiff

vs.

Pushpaben Chimanbhai Patel and Ors. ...Defendants

Digitally signed
by V. S. Parekar
Date:
2021.01.22
10:44:52 +0530

Mr. Neel Pungliya, for the Plaintiff and for the Applicant in both Interim Applications.

Ms. Gayatri Kapse i/b. Ms. S.S. Kotian, for Defdt. Nos. 1, 3 to 7D & 15.

Mr. A.P. Bagwe, for the Defendant Nos. 8 to 12.

CORAM : N. J. JAMADAR, J.

DATE : JANUARY 21, 2021

P.C.:

In Interim Application No. 2605 of 2020:-

1. This Interim Application is preferred to bring the legal representatives of Defendant No. 6 Dinesh Chaturbhai Patel, who expired on 24th May, 2020. The application is supported by the copy of death certificate. The application is preferred within the stipulated period of limitation.

2. The learned counsel for the Plaintiff submits that the proposed legal representatives of the deceased-Defendant No. 6 have conveyed no objection to their impleadment as legal representatives of the deceased-Defendant No. 6.

3. In view of the above, the application stands allowed in terms of prayer clause (a) and (b).
4. The Plaintiff shall carry out the amendment in the Plaint in accordance with the Schedule of amendment, within two weeks.
5. The writ of summons be issued to the newly impleaded Defendant Nos. 6A to 6C, returnable after six weeks.
6. The Defendant No.6C to 6C may file the written statement appropriate to their character as legal representatives of the deceased-Defendant No. 6, within a period of four weeks of being served with the writ of summons.
7. The application is disposed of .

In Interim Application No. 517 of 2020:-

8. The learned counsel for the Plaintiff seeks time to file appropriate affidavit and documents in support of the application.
9. Interim Application be listed on 11th February, 2021.

(N. J. JAMADAR, J.)