

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER ORDER NO.199 OF 2021
IN
SUIT (L) NO. 9925 OF 2021

Rajeev Kumar Bhadani as KARTA of) ...Applicant
Kishunchandram Bhadani HUF)
Age : Adult, Occupation Business,)
of Thane, Indian Inhabitant ,)
having address at 103 B, Siddhi)
Towers, Bhakti Mandir Marg, Near)
Hari Niwas, Thane (W) 400602.)
)

IN THE MATTER BETWEEN:

Rajeev Kumar Bhadani as KARTA of) ... Plaintiff
Kishunchandram Bhadani HUF)
Age : Adult, Occupation Business,)
of Thane, Indian Inhabitant ,)
having address at 103 B, Siddhi)
Towers, Bhakti Mandir Marg, Near)
Hari Niwas, Thane (W) 400602.)
)

Versus)
)

1. Krishnasaran Bhadani as KARTA of)
Darshanram Bhadani HUF)
Age : Adult, Occupation Business,)
of Thane, Indian Inhabitant,)
having address at Flat No.1303,)
Elegance Building,)
Near Office of The Conservator)
of Forest, Thane, Teen Hath Naka,)
Thane (W) 400602.)
)

2. Dhruv narayan Bhadani as KARTA of)
Bandanram Bhadani HUF)
Age : Adult, Occupation Business,)
Indian Inhabitant, having address at)
Flat No.1207, Monte Vista, Opp. P & T)
Colony, M. M. Malviya Road, Mulund)
(W) 400080.)
)

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3. Ravindra Kumar Bhadani as KARTA)
of Jhariram Bhadani HUF)
Age : Adult, Occupation Business,)
Indian Inhabitant, having address at)
G/5, Ground Floor, Lajpat Nagar 3,) ...Defendants
New Delhi – 110024.)

AND

Arvind Kumar Bhadani as KARTA)
of the Babu Jhariram Bhadani HUF,)
Age : Adult, Occupation Business,)
Indian Inhabitant having address at D-)
601, Silver Oak Building No.1 CHS)
LTD., Beverly Park, Opp: Kanakia)
Police Station, Mira Road (E),)
Mumbai-401107.) ...Proposed Defendant No.3

Before : Shri S.R. Paranjpe,
Addl. Registrar (O.S.)/
Addl. Prothonotary and Senior Master

Date : 17th September, 2021.

FOR DIRECTION :

Mr. Shivam Bhagwati i/b. Yatin R. Shah, Advocate for the Plaintiff.

P. C. :

1. This Chamber Order is taken out to carry out amendments in the Plaint and Proceedings by deleting the name of Defendant No.3 and adding the legal heir of Defendant No.3 viz. Ravindra Kumar Bhadani, as per Schedule annexed to the Chamber Order.

2. Perused Schedule. As per the Schedule, Applicant is seeking permission to delete the name of Defendant No.3 and add the name

..3/-

: 3 :

of Arvind Kumar Bhadani as KARTA (i.e. legal heir of Ravindra Kumar Bhadani and proposed Defendant No.3 legal heir of Ravindra Kumar Bhadani and proposed Defendant No.3).

3. The Chamber Order is supported by death certificate of Defendant No.3 viz. Ravindra Kumar Bhadani, who died on 29th April, 2021.

4. The Ld. Advocate for the Applicant / Plaintiff submitted that there are three Defendants, the Suit (L) No. 9925 of 2021 is not Commercial Suit and yet to be numbered. The Ld. Advocate further submitted that a Suit is not initiated against Defendant Nos. 1 to 3. The Chamber Order is duly served upon the proposed Defendant No.3 viz. Arvind Kumar Bhadani and Affidavit of Service dated 31st August, 2021 is filed. In respect service upon Proposed Defendant No.3, the Learned Advocate for the Applicant / Plaintiff also tender additional Affidavit dated 17th September, 2021, the same is taken on record.

5. Keeping open rights and contention and considering the nature of amendment prayed for which, in my view it does not change the nature and character of the Suit. Hence, there is no impediment in allowing the Chamber Order. Thus, the following order :

ORDER

- i. The Chamber Order stands allowed

: 4 :

- ii. The Plaintiff shall carry out the necessary amendment as per the Schedule annexed to Chamber Order within a period of three weeks, from the date of uploading the order.
- iii. Re-verification is dispensed with, as amendments are only in title.

17.09.2021

Addl. Registrar (O.S.)/
Addl. Prothonotary and Senior Master