

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

CHAMBER SUMMONS NO. 8 OF 2020

IN

SUIT NO. 1165 OF 2011

Inder Kishandas Ahuja

.. Applicant/Org. Plaintiff No.1

In the matter between :

1. Inder Kishandas Ahuja

& Ors.

.. Plaintiffs

Vs.

1. Gopaldas Kishandas Ahuja

& 4 Ors.

.... Defendants

And

1. Dinesh Gopaldas Ahuja

& 2 Ors.

... Proposed Defendants

Mr. Rajmani Varma a/w.Ms. Unnati Bane i/b Ms. Darshana Gangan for applicant/plaintiffs.

Mr.Ganesh Ambekar i/b Thakore and Jariwala and Associates for defendant Nos. 2 and 10.

Ms.Alisha Lambay i/b Lambay and Co. for proposed defendant Nos.1 to 3.

CORAM : N.J. JAMADAR, J.

DATE : 18th FEBRUARY 2021

P.C.

1. At the outset, the learned counsel for the plaintiffs seeks leave to amend the chamber summons so as to delete defendant No.5(a) from the prayer clause (a) of the chamber summons.

2. Leave, as sought, is granted.

3. Amendment in the chamber summons as well as in the schedule

of amendment be carried out forthwith.

4. The chamber summons is taken out by the plaintiff to bring on record the legal representatives of defendant No.1 and delete the defendant Nos.7 and 8.

5. The learned counsel for the proposed defendant Nos.1(a) to 1(c), the legal representatives of defendant No.1 states that the proposed defendant Nos. 1(a) to 1(c) have no objection to their impleadment as legal representatives of deceased defendant No.1.

6. In view of the above, the chamber summons is made absolute in terms of prayer clauses (a) to (d).

7. The plaintiff shall carry out the necessary amendment in the plaint in accordance with the schedule within a period of two weeks and serve copy of the amended plaint on the defendant.

8. The leaned counsel for the newly impleaded defendant Nos.1 (a) to 1(c) waives service of the writ of summons.

9. The defendant Nos.1 (a) to 1(c) are at liberty file written statement appropriate to their character as the legal representatives of deceased defendant No.1, within a period of four weeks.

10. The chamber summons stands disposed of.

11. The suit be listed on 18th March 2021.

[N.J. JAMADAR, J.]