

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.1931 OF 2022
IN
SUIT NO.77 OF 2009**

Hemant Kumar Ruia	...	Applicant
and		
Sulochana Madhavlal Pittie and Ors.	...	Plaintiffs
<i>Versus</i>		
Bachhraj & Company Pvt. Ltd. and Ors.	...	Defendants
and		
Sanjivnayan Bajaj	...	Respondent

Mr. Navroz Seervai, Senior Advocate with Mr. Ashish Kamat, Mr. Abhay Gadeja, Mr. Varun Satiya, Ms. Snigdha Mankar i/by Gadeja and Satiya, for Plaintiffs.
Mr. J.M.Doshi i/by Malvi Ranchoddas and Co., for Defendant Nos.1, 3 and 5.
Mr. Dharmesh Pandya i/by Mr. Ashwin Pandya and Associates, for Defendant No.8.

CORAM: N.J.JAMADAR, J.

DATE: 17th OCTOBER, 2022

P.C.:

1. Heard the learned Counsel for the Applicant/Plaintiff No.11.
2. This Application is taken out to bring the legal representative of Rahul K. Bajaj – Defendant No.6, who passed away on 12th February, 2022. Schedule A appended to the Application contains averments regarding the capacity in which Sanjivnayan Bajaj, proposed Defendant No.6A is sought to be impleaded as party Defendant and the consequential amendments in the Plaint.
3. The learned Counsel for Defendant Nos.1, 3 and 5 and 8 submit that they have no objection to allow the amendment. He submits that the proposed

Defendant No.6A has conveyed to them that he has no objection to implead him as party Defendant and make the Interim Application absolute. The learned Counsel has tendered a copy of the said letter.

4. In any event, it appears that Sanjivnayan Bajaj is being impleaded in the capacity of the sole executor of the alleged Will dated 10th March, 2021 of late Rahul K. Bajaj.

5. Hence, the Application stands allowed in terms of prayer clause (a).

6. Necessary amendment be carried out in the plaint in accordance with the Schedule A appended to the Application on or before 11th November, 2022.

7. Re-verification is dispensed with.

8. Copies of the amended plaint be served on the Defendants within two weeks thereafter.

9. Application stands disposed.

(N.J.JAMADAR, J.)