

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

INTERIM APPLICATION NO.1507 OF 2019
IN
SUIT NO.719 OF 2014

Arun Kumar Keyal and Others ...Applicants
vs.
Ajay Sohanlal Jhuria and Others ...Defendants

Mr. Farhan Dubhash a/w. Mr. Praveen Shetty i/b. Res Legal, for the
Plaintiffs/Applicants.
Mr. K.H. Mody, for the Defendant No. 1.

CORAM : N. J. JAMADAR, J.
DATE : DECEMBER 15, 2022

P.C.:

1. Heard the learned counsel for the applicants and the learned counsel for defendant No. 1.
2. This application is preferred to amend the plaint so as to bring the legal representative of plaintiff No. 3 Smt. Saroj Saraogi on record. The applicant avers that the plaintiff No. 3 passed away on 19th November, 2018 leaving behind a Will dated 21st February, 2017. A probate proceeding bearing No. PLA No. 425 of 2018 was instituted in the Calcutta High Court and by an order dated 10th May, 2019 a probate has been granted. Hence, this application.
3. The application is supported by a copy of the probate purported to be granted by Calcutta High Court in PLA No. 425 of 2018 along with a copy of the Will annexed.

4. The application is essentially consequential to grant of probate. Hence, the application stands allowed.
5. The plaintiffs are permitted to amend the plaint in accordance with the schedule of amendment appended to the application.
6. Necessary amendment be carried out within a period of three weeks.
7. Copy of the amended plaint be served on the defendants.
8. Application disposed.

(N. J. JAMADAR, J.)