

VRJ

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10617 OF 2023

Nahalchand Laloochand Pvt. Ltd. & Ors. ... Petitioners

V/s.

Anwar Hajee Alimohammed Hajee
Cassam Agboatwala Since Deceased
Through Legal Heirs & Ors. ... Respondents

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RAMESH
JADHAV
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VAIBHAV RAMESH
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WITH

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Cassam Agboatwala Since Deceased
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Mr. Rajesh N. Kachare for the petitioners.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 31, 2023

P.C.:

1. The petitioners are challenging order allowing Chamber Summons for the amendment of plaint.
2. Considering the nature of order passed by the trial Court, the petitioners will be at liberty to raise challenge to this order under section 105(1) of the Civil Procedure Code, 1908, in case the decree is against the petitioners.
3. The civil writ petitions stand disposed of. No costs.

4. Disposal of present writ petitions shall not preclude the petitioners from raising issue of maintainability of the suit before the trial Court.

(AMIT BORKAR, J.)