

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

INTERIM APPLICATION NO. 3158 OF 2021
IN
TESTAMENTARY SUIT NO. 230 OF 2016
IN
TESTAMENTARY PETITION NO. 604 OF 2016

Amul Jagjivandas Parekh

...Applicant/Plaintiff

Versus

Girish Jagjivandas Parekh & Ors.

...Defendants

And

Sohini Girish Parekh & Ors.

...Prop. Respondents

- Ms. Sapna Sharma i/b M/s. K. Ashar & Co., for Applicant /Plaintiff.
- Ms. Sakshi Agarwal i/b Bipin Joshi, for proposed Respondents.

CORAM : MANISH PITALE, J

DATE : 23rd JANUARY, 2024.

P. C. :

1. By this application, the applicant / plaintiff is seeking to amend the cause title of the suit in the light of death of defendant No. 1 during the pendency of the suit. The applicant desires to bring on record four legal representatives of the deceased defendant No.1.

2. Copy of death certificate is annexed to the application showing that the defendant No.1 expired on 17th August, 2020.

3. The names of the proposed defendant Nos. 1A and 1D are stated in the application. The learned counsel having instructions to

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appear on behalf of the proposed defendants has pointed out that there are typographical errors insofar as the names of the proposed defendant Nos. 1B and 1D are concerned. In that light, the learned counsel appearing for the applicant / plaintiff has tendered Exhibit "B" afresh, incorporating the corrections in the names of the proposed defendant Nos. 1B and 1D. The aforesaid document is taken on record and marked "X" in the interest of justice.

4. In view of the above, the application is allowed and the defendant No.1 is permitted to be deleted from the cause title of the suit and the names of the proposed defendant Nos. 1A to 1D, as stated in the document tendered in Court, are permitted to be substituted in the place of defendant No. 1.

5. The application stands allowed in above terms.

6. The amendment be carried out within two weeks from today. Re-verification is dispensed with.

(MANISH PITALE, J.)