

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

CHAMBER SUMMONS NO.165 OF 2018

IN

SUIT NO.158 OF 2014

IN

PETITION NO.997 OF 2008

Anand Bhaiyalal Dubey and others ... Applicants

In the matter between:

Bhaiyalal Jagdambaprasad Dubey ... Plaintiff / Petitioner

Vs.

Subhashchandra Amarnath Pandey ... Defendant

Brahmakumari Sushilaben @ Sushilaben @
Sushiladevi Kamtaprasad Tiwari @ Sushilaben... Deceased

WITH

IPA NO.76 OF 2019

IN

CHAMBER SUMMONS NO.165 OF 2018

Mr. Deepak Pandey for Petitioner.

CORAM : MANISH PITALE, J.

DATE : FEBRUARY 22, 2024

P.C. :

. Heard learned counsel for the applicant in the present chamber summons.

2. The chamber summons have been taken out in order to carry out amendment as per schedule annexed to the chamber summons.

3. It is brought to the notice of this Court that the plaintiff No.1(a) and plaintiff No.5 have expired. Copies of their death certificates are annexed to the chamber summons. It is stated that as per the schedule, the plaintiffs desire to delete the name of plaintiff No.1(a) as his legal heirs are already on record. The plaintiffs also seek deletion of plaintiff

No.5 from the array of parties, further seeking addition of the names of her legal heirs i.e. her husband and sons as plaintiff Nos.5(a) to 5(c).

4. This Court has perused the documents filed alongwith the chamber summons. A case is indeed made out for granting the proposed amendment.

5. Accordingly, the chamber summons are granted. The delay in moving the chamber summons is condoned and the applicants are permitted to carry out amendment as per the schedule annexed to the chamber summons.

6. The amendment be carried out within two weeks from today.

7. Re-verification is dispensed with.

8. The chamber summons is disposed of.

(MANISH PITALE, J.)

Minal Parab