

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

INTERIM APPLICATION NO.1675 OF 2024

IN

SUIT NO.30 OF 2024

Sharmishtha Jyot Shah

...Plaintiff

vs.

Ashok Kantilal Shah and Others

...Defendants

Mr. Duj Jain a/w. Ms. Krishna Shah and Ms. Punit Jain i/b. Regius Legal LLP, for the Applicant.

Ms. Tvishi Pant i/b. Keystone Partners, for Defendant Nos. 1, 2, 4, 5 and 7.

Ms. Twinkle Gadhiya i/b. Pradhan & Rao, for Defendant No. 10.

CORAM : N. J. JAMADAR, J.

DATE : SEPTEMBER 03, 2024

P.C.:

1. Heard the learned counsel for the parties.
2. This Interim Application is filed to amend the plaint and the Interim Application No. 429 of 2024, as Mr. Ashok Kantilal Shah, defendant No. 1 has passed away on 12th January, 2024 leaving behind the legal representatives who are already on record as defendant Nos. 4, 6 and 7.
3. It appears that the advocate for the defendants have informed the plaintiff that defendant Nos. 4, 6 and 7 are the legal representatives of defendant No. 1. As legal estate of defendant No. 1 is already represented by defendant Nos. 4, 6 and 7, no question of abatement arises.

4. Hence, the application stands allowed in terms of prayer clause (a).

5. Necessary amendment in accordance with the Schedule of proposed Amendment (Exhibit C) be carried out within a period of three weeks.

6. Amended copy of the plaint be served on the defendants within two weeks thereafter.

Application disposed.

(N. J. JAMADAR, J.)