

Iresh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO. 14003 OF 2024
WITH
INTERIM APPLICATION NO. 9067 OF 2025**

M. G. Construction Co and orsPetitioners

Vs.

K. B. Cabs Thr. Its SoleRespondent
Prop Shri Rajaninath Sadashiv
Damle

Mr. Jamsheed Master i/b Mr. Aniket Worlikar for the petitioners

CORAM : GAURI GODSE, J.

DATE : 28th JULY 2025

ORDER:

INTERIM APPLICATION NO. 9067 OF 2025:

1. This application is for leave to amend the title to show the sole proprietor of the respondent (original plaintiff) as deceased through his heir and legal representative. Learned counsel for the applicant submits that amendment to the suit is already carried out and the heirs are brought on record. Learned counsel relies upon a copy of the order passed in Chamber Summons in the

Suit. Copy of the order is annexed to the application. Schedule 1 to the application pertains about the particulars of the amendment.

2. In view of the aforesaid, the application is allowed in terms of prayer clause (a). Amendment to be carried out within three weeks.

WRIT PETITION NO. 14003 OF 2024:

3. Heard learned counsel for the petitioners. Issue notice to respondents, returnable on 24th November 2025.

4. In addition to Court notice, learned advocate for the petitioners shall serve the respondent by private notice and file affidavit of service before the next date.

5. The Trial Court shall defer the further hearing of the suit beyond the returnable date of this petition.

6. Learned advocate for the petitioners shall ensure that copies are supplied and the Court notice is issued by taking Hamdast, failing which, the ad-interim protection granted by this order will stand vacated without further reference to the Court.

[GAURI GODSE, J.]