

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

INTERIM APPLICATION NO. 2855 OF 2025
IN
SUIT NO. 441 OF 2000

Kiran C. Kadam & Ors.	...Applicants
<u>In the matter of</u>	
Chanda C. Kadam & Ors.	...Plaintiffs
V/s.	
M/s Wellworth Developers & Ors.	...Defendants

WITH
INTERIM APPLICATION NO. 855 OF 2025

Mr. Karl Tamboly with Ms. Farid Karachiwala and Mr. Yuvraj Choksey
i/b J. Sagar Associates for the Plaintiffs.
Mrs. Pooja Kane with Mr. Romin Sangoi i/b Mr. Yogesh Adhia for the
Defendants No. 1 to 4.

CORAM	:	ABHAY AHUJA, J.
DATE	:	8 th JULY, 2025

P.C. :

Interim Application No. 855 of 2025

1. When the matter is called out, Mr. Tamboly, learned Counsel appears for the Plaintiffs and seeks a modification of the order dated 9th June, 2025, submitting that through inadvertence in the paragraph II of the schedule of the amendment the name of the deceased Dhanesh N. Bhansali was also inserted and that this Court may permit deletion of the same such that in place of Plaintiff No. 3, the name of Monica R. Shroff, Plaintiff No. 3B be inserted as the Plaintiff No. 3A, as Mr. Dhanesh N. Bhansali has passed away.

2. Ms. Kane, learned Counsel appearing for the Defendants No. 1 to 4 has no objection.

3. Accordingly, let the said amendments be carried out forthwith. Re-verification is dispensed with.

4. The order dated 9th June, 2025 stands modified to the above extent. Praecipe to accordingly stand disposed.

Interim Application No. 2855 of 2025

5. Both the learned Counsel are *ad-idem* that the Defendant No. 5 be dropped as the Defendant and that the Interim Application be accordingly allowed in terms of the prayer Clause (a), which reads thus:-

“(a) that this Hon’ble Court be pleased to permit the Applicants to delete the name of Defendant No.5 from the cause title of the Complaint, and permit the Applicants to carry out the necessary and consequential amendments mentioned in the Schedule of amendment annexed as Exhibit-A hereto.”

6. Ordered accordingly. Let the amendments be carried out as per schedule within a period of two weeks.

7. The Interim Application is accordingly allowed and disposed of.

(ABHAY AHUJA, J.)