

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO.4499 OF 2025

IN

SUIT NO.197 OF 2024

Rajeev Jhunjhunwala

.....Applicant

Versus

Bharat Jhunjhunwala

....Respondent

Mr. Chirag Kamdar *a/w Munaf Virjee & Tirtha Mukherjee i/b. AMR Law, for Applicant.*

Mr. Raghuraj Deshpande *i/b. Aneesh Deshpande, for Defendant Nos.4 and 5.*

CORAM: SOMASEKHAR SUNDARESAN, J.

DATE : NOVEMBER 24, 2025

ORDER :

1. This is an Application to bring on record legal of Plaintiff No.1, who is said to have passed away on November 13, 2024. It is claimed by Learned Counsel for Plaintiff No.1 that the legal heirs of Plaintiff No.2 have not cooperated in coming on record and therefore he desires to make them the newly added Defendant Nos.9 and 10.

2. Learned Counsel for Defendant Nos.4 and 5 raises objection to the legal heirs being brought on record, stating that the Deed of Trust permits only male descendants to become Trustees. This is a matter of

merit and shall be considered at a later stage after the amendments are carried out and when considering the suit.

3. The Interim Application is hereby ***finally disposed of*** permitting the Plaintiff No.1 to effect the amendments set out in the schedule of amendments contained in Exhibit 'D' to the Interim Application. Let the amendment be carried out before the Registry. Re-verification is dispensed with.

4. It is made clear that all contentions of the Defendants in this regard are kept open. The abatement viz-a-viz Plaintiff No.1 would now come to an end inasmuch as the newly added Plaintiff Nos.1(A) & 1(B) shall now prosecute the suit.

5. List the Suit on ***December 1, 2025***.

6. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[**SOMASEKHAR SUNDARESAN, J.**]