

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

INTERIM APPLICATION NO. 1838 OF 2025

IN

SUIT NO. 208 OF 1950

Aziz Ali Mohammed Chotani ... Applicant

Vs.

The Official Assignee of Bombay ... Respondent

WITH

INTERIM APPLICATION NO. 1661 OF 2025

IN

SUIT NO. 208 OF 1950

Aziz Ali Mohammed Chotani ... Applicant

Vs.

Mohammed Isaac Alimohammed Chotan ... Respondent

Mr. Asif Memon for Plaintiff/Applicant.

Mr. Raghav Taneja i/b Vidhi Partners for Respondent No.2.

Mr. Sujay Gawade a/w Ms. Mudita Pawar with Ms. Mihika Sare i/b Shree & Co. for Defendant No. 17.

CORAM : FARHAN P. DUBASH, J.

DATE : 9th JANUARY 2026

P.C.:

INTERIM APPLICATION NO. 1838 OF 2025

1. The present Interim Application No. 1838 of 2025 seeks to bring on record the legal heirs and representatives of Original Defendant No. 9 viz. Mohammed Ismail Alimohammed Chotani who is stated to have passed away

on 21st March 2020.

2. For the reasons set out in the said Interim Application and upon hearing Mr. Asif Memon, learned Counsel who appears on behalf of the Applicant, the Interim Application No. 1838 of 2025 is hereby allowed in terms of Prayer Clause (a) and (b) and the Applicant is permitted to amend the suit in terms of the Schedule annexed to the present Interim Application.

3. Amendment shall be carried out on or before 17th January 2026. Re-verification is dispensed with.

4. Let the copy of the amended suit be served by the Plaintiff on all the Defendants including the newly added Defendants on or before 23rd January 2026 and an Affidavit-of-service to that effect be filed by 27th January 2026.

INTERIM APPLICATION NO. 1661 OF 2025

5. The present Interim Application No. 1661 of 2025 has been taken out for bringing on record the legal heirs and representatives of Original Defendant No. 3 viz. Abdul Hamid Ebrahim Chotani who is stated to have passed away on 17th July 2024.

6. For the reasons set out in the said Interim Application and upon

hearing Mr. Asif Memon, learned Counsel who appears on behalf of the Applicant, the Interim Application No. 1661 of 2025 is hereby allowed in terms of Prayer Clause (a) and (b) and the Applicant is permitted to amend the suit in terms of the Schedule annexed to the present Interim Application.

7. Amendment shall be carried out on or before 17th January 2026. Re-verification is dispensed with.

8. Let the copy of the amended suit be served by the Plaintiff on all the Defendants including the newly added Defendants on or before 23rd January 2026 and an Affidavit-of-service to that effect be filed by 27th January 2026.

9. Place the Court Commissioner Report dated 10th December 2025 for hearing on 30th January 2026.

10. Notice of this listing shall be given by the Plaintiff on all the concerned parties and Affidavit-of-service to that effect shall also be filed on or before the next date.

11. Stand over to 30th January 2026 at 03:00 pm.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil