

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

SUIT NO. 20 OF 2016

Narendra Jamnadas Khilnani and Anr.

...Plaintiffs

V/s.

Razia Raza Ansari

...Defendant

WITH  
NOTICE OF MOTION NO. 64 OF 2016  
WITH  
INTERIM APPLICATION NO. 3354 OF 2025

Mr. Swanand Ganoo with Mr. Jugal Haria and Mr. J. H. Mishra i/b YRJ  
Legal for the Plaintiff No. 2.

Mr. Zaid Ansari for the Defendant No.1.

CORAM : ABHAY AHUJA, J.  
DATE : 7<sup>th</sup> MARCH, 2026

PC. :

1. When the matter is called out, Mr. Ganoo, learned Counsel appears for the Interim Applicant / Plaintiff No. 2 and submits that despite best efforts, the service to the Respondents No. 5 and 6 viz. heirs of deceased Plaintiff No. 1, could not be effected and the packets have been returned with the remarks “unclaimed”. Mr. Ganoo submits that therefore, it does not appear that the heirs of the deceased Plaintiff No. 1 are interested in prosecuting the Suit along with the Plaintiff No. 2 and that therefore, this Court may simplicitor permit deletion of the Plaintiff No. 1 and not to add the names of the Respondents No. 5 and 6 as the Defendants No. 5 and 6.

2. Mr. Ansari, learned Counsel appearing for the Defendant No 1 has no objection.
3. Having heard the learned Counsel and having considered the submissions, this Court is of the view that the Applicant be allowed to delete the Plaintiff No.1.
4. Let the Suit be prosecuted by the Plaintiff No.2.
5. Let the amendments be carried out within a period of two weeks and let the amended proceedings be served on the others.
6. The Interim Application accordingly stands allowed and disposed as above.
7. Mr. Ganoo, learned Counsel for the Plaintiff No. 2 further submits that since the Suit against the Defendants No. 2 to 4 is already ex-parte, this Court may dispense the service of the amended proceedings upon them.
8. Service to the Defendants No. 2 to 4 is dispensed with.
9. List for framing of issues on **30<sup>th</sup> March, 2026**.

**(ABHAY AHUJA, J.)**