

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

**INTERIM APPLICATION NO. 1454 OF 2021
IN
SUIT NO. 2689 OF 1995**

SONAL CONSTRUCTIONS AND OTHERS)...APPLICANT

V/s.

ALEXANDER GEORGE TONE AND OTHERS)...RESPONDENTS

**WITH
SUIT NO. 386 OF 1997
WITH
INTERIM APPLICATION (LODGING) NO.2820 OF 2026
IN
SUIT NO. 386 OF 1997
WITH
INTERIM APPLICATION NO. 588 OF 2026
IN
SUIT NO. 386 OF 1997
WITH
INTERIM APPLICATION NO. 2025 OF 2021
IN
SUIT NO. 386 OF 1997
WITH
INTERIM APPLICATION NO. 2319 OF 2025
IN
SUIT NO. 386 OF 1997
WITH
INTERIM APPLICATION NO. 2025 OF 2021
IN
SUIT NO. 386 OF 1997**

Mr.Akshay Borade i/by Mr.Yatin Shah, Advocate for the Applicant in
IA/1454/2021 and for the Plaintiff in S/2689/1995.

Mr.Chirag Kamdar a/w. Mr.Pranav Khatkul and Janu Gulati, Advocate
for the Respondent no.2 in IA/1454/2021.

Mr.Pankaj Thatte a/w. Mr.Amit Sharma, Advocate for the Proposed Respondent no.1 in IA/1454/2021.

Mr.Sanjiv Sawant i/by Mr.Ashwin Jajal, Advocate for the Defendants no.5(a), 5(b), 5(c), 6(a), 6(b) and 6(c) in S/2689/1995 with IA/1454/2021, for the Plaintiffs no.1A, 4(a),(b),(c), 5(a), 5(b), 5(c), 6(a), 6(b), 6(c) in S/386/1997, for Applicants No.3(a), 3(b), 3(c), 4(a), 4(b), 4(c) in IA/2025/2021 and for the Applicant / Plaintiff no.1A in IA/2319/2025, for the Applicant (Plaintiff no.1A), Original Plaintiff No.4(a)(b)(c), 5(a)(b)(c) and 6(a)(b)(c) in IA/2820/2016, for the Applicant (Plaintiff no.1A), Original Plaintiff no.4(a)(b)(c), 5(a)(b)(c) and 6(a)(b)(c) in IA/2840/2016.

CORAM : ABHAY AHUJA, J.

DATE : 4th FEBRUARY 2026.

PC. :

**INTERIM APPLICATION (LODGING) NO.2820 OF 2026
IN
SUIT NO. 386 OF 1997**

1. Mr.Sawant, learned Counsel, appears for the Applicant and submits that this Interim Application seeks to delete the Plaintiff no.8 and bring on record the heirs of the said deceased Plaintiff as Plaintiffs no.8(a) and 8(b). Mr.Sawant submits that the application has been filed within time.

2. The other learned Counsel have no objection if the Interim Application is allowed, however, Mr.Borade, learned Counsel appearing for the Plaintiff in Suit no.2869 of 1995 submits that this Court may direct that similar amendments also be carried out in the Suit filed by their clients viz. Suit no.2689 of 1995 and the connected proceedings, directing that in the said Suit and proceedings, the Defendant no.9 be deleted and the two heirs of the said Defendant viz. Sanjiv Soreng and Reena Engineer be impleaded and added as Defendants no.9(a) and 9(b). Mr.Sawant appearing for the Defendant in the said Suit has no objection.

3. Having heard the learned Counsel and having considered the submissions, the Interim Application is allowed in terms of prayer clauses (a) and (b) which read thus :

(a) This Hon'ble Court be pleased to pass an order deleting the name of the deceased Plaintiff no.8 from the cause title of the Suit and bringing on record her legal heirs, namely, Reena Engineer and Sanjiv Soreng, as Plaintiff nos.8(a) and 8(b) respectively.

(b) This Hon'ble Court be pleased to permit the Applicant to carry out consequential amendments to the plaint and cause title.

4. Let the amendments be carried out within a period of three weeks and let the amended proceedings be served on the others in two weeks thereafter and an appropriate Affidavit of service be filed.
5. The Interim Application is accordingly allowed and stands disposed as above.
6. Let similar amendments also be carried out in Suit no.2689 of 1995 and the connected proceedings by deleting the Defendant no.9 and in her place Sanjiv Soreng and Reena Engineer as Defendants no.9(a) and 9(b) be impleaded as Defendants.
7. Let the amendment to Suit no.2689 of 1995 and the connected proceedings also be carried out within a period of three weeks and let the amended proceedings be served on the others in two weeks thereafter and an appropriate Affidavit of service be filed.
8. In view of the above, the learned Counsel appearing in the matter have no objection if Interim Application No.588 of 2026 is also disposed.
9. Accordingly, Interim Application No.588 of 2026 also stands disposed.

INTERIM APPLICATION NO. 2025 OF 2021
IN
SUIT NO. 386 OF 1997

10. The learned Counsel appearing for the Respondents no.1 and 2 submit that replies are ready and this Court may direct the Registry to accept the same. Registry to accept the same.

11. Let copies of the same be served on the Plaintiffs within a period of two weeks. Rejoinder in two weeks thereafter with copies to the others.

INTERIM APPLICATION NO. 2319 OF 2025
IN
SUIT NO. 386 OF 1997

12. Let service be effected within a period of three weeks.

13. Let instructions be taken on the same by the next date, and if necessary, let replies and rejoinders be exchanged and filed by the next date.

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IN
SUIT NO. 386 OF 1997

14. The learned Counsel appearing for the Respondents no.1 and 2 submit that replies are ready and this Court may direct the Registry to accept the same. Registry to accept the same.

15. Let copies of the same be served on the Plaintiffs within a period of two weeks. Rejoinder in two weeks thereafter with copies to the others.
16. List the Suits and the pending applications on **8th April 2026**.
17. Considering that the Suits are of the year 1995 and 1997, parties are urged to explore amicable settlement.

(ABHAY AHUJA, J.)