MHCC040004022025

BOMBAY CITY CIVIL COURT, BORIVALI DIVISION
AT DINDOSHI, GOREGAON, MUMBAI

CHAMBER SUMMONS NO. 71 OF 2025
IN
EXECUTION APPLICATION NO. 38 OF 2016
IN
S. C. SUIT NO. 1868 OF 2013 (DISPOSED OFF)

Vinod Gopaldas Soneji & 2 Ors. ...Applicants

In the matter of,

Gopaldas Newandram Soneji …Plaintiff/
Decree Holder

VERSUS

Jaykumar Ishwardas Soneji & Ors …Defendants/
Judgment Debtors

Advocate Shri. M. S. Pandey for the Decree Holder.

Defendants/Judgment Debtors absent.

CORAM : SHRI. B. D. PAWAR
Judge City Civil Court,
Borivali Division, Dindoshi, Mumbai.
(Court Room No.04)
DATE : 15th September, 2025

:: O R D E R ::

1. This Chamber Summons is filed for amendment in the Execution Application.

2. Read the Chamber Summons. Reply not filed by the Judgment Debtors. Heard Advocate Shri.M.S. Pandey for the Decree Holder. Nobody present for the Judgment Debtors.

3. Advocate Shri.Pandey submitted that Gopaldas Newandram Soneji filed this execution proceeding for execution of decree passed in S.C. Suit No.1868 of 2013 dated 26.08.2015. Advocate Shri.Pandey submitted that Decree Holder Gopaldas Soneji died on 13.12.2024. Copy of death certificate is filed alongwith the charge-sheet. Gopaldas Soneji is servived by legal representatives as mentioned in the schedule. Advocate Shri.Pandey submitted that Chamber Summons is filed within period of limitation. Hence, permission may be granted to bring on record, the legal representatives of deceased Decree Holder.

4. This execution proceeding is filed for the execution of decree dated 26.08.2015 passed in Suit No.1618 of 2013. Alongwith the Chamber Summons, the applicants have filed medical certification of

cause of death of Gopaldas Soneji. Original Decree Holder died on 13.12.2024 while this Chamber Summons is filed on 13.01.2025. Therefore, the Chamber Summons is filed within period of limitation. In such circumstances, I am of the view that the Chamber Summons needs to be allowed and permission needs to be granted to bring on record the legal representatives of deceased Decree Holder. Hence, I pass the following order -

ORDER

1. Chamber Summons No.71 of 2025 is allowed.
2. Permission is granted to bring on record the legal representatives of deceased Decree Holder as mentioned in the schedule and file amended copy on record.
3. Parties to bear their own costs.
4. Chamber Summons No.71 of 2025 is disposed off.

PAWAR BALASAHEB DATTOBA
Digitally signed by PAWAR BALASAHEB DATTOBA
Date: 2025.09.15 17:18:11 +0530

(B. D. PAWAR)
Judge City Civil Court,
Borivali Div., Dindoshi, Mumbai.

Date : 15.09.2025

Dictated on : 15.09.2025
Transcribed on : 15.09.2025
Checked & Signed by HHJ on : 15.09.2025

"CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER." **15.09.2025** at **05:18 P. M.** UPLOAD DATE AND TIME	Ms. Mayuri A. Manjrekar Stenographer (Grade-I) NAME OF STENOGRAPHER
Name of the Judge (With Court Room Number)	**SHRI. B. D. PAWAR** **Court Room No.04**
Date of Pronouncement of JUDGMENT/ ORDER	**15.09.2025**
JUDGMENT/ORDER signed by P.O. on	**15.09.2025**
JUDGMENT/ORDER uploaded on	**15.09.2025**