

IN THE COURT OF SMALL CAUSES, AT MUMBAI

Exh. 43
IN
R.A.D. Suit No.952 of 2012

1. Smt. Indradevi Suresh Jain)
2. Mr. Santosh Kumar Lalchand Jain) Plaintiffs.

Versus

1. Mr. T.K. Moosa Haji K.K. Abdulla)
and others) Defendants.

Coram :Smt. S. N. Morwale
Judge, C.R. No. 22
Dt.: 6/6/2017

ORDER BELOW EXH:-

1. Plaintiffs have filed this application for deleting name of defendant No.3 from cause title of the suit.

2. Plaintiffs have submitted that defendant No.1 has mentioned in his written statement that defendant No. 3 is dead. This court has directed to plaintiffs to take steps for defendant No.3. Since defendant No.3 is dead it is necessary to delete his name from cause title of this suit.

3. Defendants have replied to this application at Exh.44. Defendant No.1 has strongly opposed this application. I heard learned counsel for the parties. I consider that as defendant No.1 is dead and plaintiff wants to delete his name, hence, plaintiffs should be permitted to delete name of defendant No.3. Therefore, I pass this order.

ORDER

1. This application is hereby allowed.
2. Plaintiffs to delete name of defendant No.3 from cause title of the suit within 15 days.

Mumbai
Dt.: 6th June, 2018

(S. N. Morwale)
Judge, C.R. No.22

Order dictated on – 6/6/2018
Order transcribed on - 6/6/2018
Order printed & signed on - 6/6/2018

(S. N. Morwale)
Judge, C.R. No.22