

Sharada

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

INTERIM APPLICATION (L) NO.33967 OF 2024
IN
SUIT NO.1084 OF 1993

Vikram Pratap Gohil & Ors. ...Applicants

Versus

Ranjit Premjibhai Gohil (Since Deceased) & ...Defendants
Ors.

WITH
INTERIM APPLICATION NO.261 OF 2021
WITH
INTERIM APPLICATION NO.4008 OF 2022
WITH
CHAMBER SUMMONS (PROTHONOTARY) NO.1 OF 1997
WITH
TESTAMENTARY SUIT NO.21 OF 1995
WITH
INTERIM APPLICATION (L) No.18124 OF 2025
WITH
TESTAMENTARY SUIT NO.21 OF 1995
WITH
INTERIM APPLICATION NO.2497 OF 2024
WITH
TESTAMENTARY SUIT NO.41 OF 1993
WITH
INTERIM APPLICATION (L) NO.21884 OF 2024
WITH
INTERIM APPLICATION NO.(L) NO.16936 OF 2025
WITH
INTERIM APPLICATION NO.2496 OF 2024
IN
TESTAMENTARY SUIT NO.41 OF 1993

Ms. R. C. Nichani a/w Vasim Siddiqui i/b Ashary Pawar for Plaintiff in Suit No.1084 of 1993 Defendant No.2 in Testamentary Suit No.41 of 1993, Defendant No.2(b) in Testamentary Suit No.21 of 1995.

Mr. Bhupesh Dhumatkar a/w Ms. Manisha Virkhare and Adv. Nandkishor Supal i/b Divya Shah Associates Suit No. 1084 of 1993 Defendant Nos. 12A & 12B Testamentary Suit No.41 of 1993 Defendant No.4A & 4B Testamentary Suit No.21 of 1995 Defendant No.1A & 1B.

Mr. Majid I. i/b Mr. Hemant Ghadigaonkar, for Defendant No.4(a) and 4(b) in Suit No.1084 of 1993.

CORAM : R.I. CHAGLA J.

DATE : 3rd JULY, 2025.

ORDER :

1. By this Interim Application the Applicant/Original Plaintiff No.4 has sought permission to carry out amendment in terms of the schedule annexed to the Interim Application.

2. The amendment sought for is to bring the legal heirs and legal representatives of the Original Plaintiff No.4 who expired on 3rd October 2024 at Otario, Toronto on record. It is stated that the legal heirs and legal representatives of Defendant Nos. 6, 7 and 11 are already on record. Accordingly, the name of the Original Plaintiff No.4 has been sought to be deleted.

3. The Applicant has stated that immediately upon the demise of Original Plaintiff No.4, the Applicant informed his advocate about the same and provided a copy of the Death Certificate of deceased Original Plaintiff No.4 and hence there is no delay in filing of the present Interim Application.

4. There is no opposition to the relief sought for in the present Interim Application.

5. Having considered the averments in the Interim Application as well as noting that there is no delay in filing of the present Interim Application and that the legal heirs and legal representatives of Original Plaintiff No.4 are already on record in the present Suit as Defendant Nos.6,7 and 11 the relief sought for in the Interim Application requires to be granted.

6. Accordingly, the Applicant is permitted to carry out amendment in terms of the schedule annexed to the Interim Application within a period of two weeks from the date of this order.

7. Re-verification is dispensed with.

8. The Interim Application is accordingly disposed of.

9. There are two other Interim Applications(L) No.16936 of 2025 in Testamentary Suit No.41 of 1993 and Interim Application (L) No.18124 of 2025 in Testamentary Suit No.21 of 1995 respectively.

10. These Interim Applications sought for further examination after closure of evidence in the aforementioned Testamentary Suits.

11. The learned Counsel appearing for the Defendant No.2 has tendered Affidavit-in-Reply to the Interim Application(L) No.16936 of 2025 and Interim Application(L) No.18124 of 2025, which are taken on record.

12. The Applicant is not represented and accordingly the Interim Applications is stood over.

13. The Interim Applications shall be listed along with the Testamentary Suits on 24th July 2025.

[R.I. CHAGLA J.]