

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

SUIT NO.97 OF 2017

Neeta Lalit Sanghavi & Anr. ... Plaintiffs
vs.
Dharamdas Vanmalidas Sanghavi
(since deceased) & Ors. ... Defendants

Mr. Shlesha Sheth i/b FZB & Associates for the Plaintiffs.
Ms. Smita Durve i/b Mr. Anshil Shah for Defendant Nos.2(a),
2(b) and 2(c).

CORAM : S. M. MODAK, J.

DATED : 25TH SEPTEMBER 2023

P. C. :

1. Heard learned Advocate for the respective parties.
2. As observed in the order dated 6th July 2023, learned Advocate has filed the Vakalatnama for Defendant Nos.2(a), 2(b) and 2(c), who are the legal representatives of deceased Defendant No.2. The deceased Defendant No.2 has already filed the written statement. Now, learned Advocate for newly added Defendants, wants to take instructions whether the additional written statement is

required or the same can be adopted.

3. Even though learned Advocate for Defendant Nos.2(a), 2(b) and 2(c) is having copy of the written statement but she is not having annexures. Learned Advocate for the Plaintiff undertakes to provide soft copy through email.

4. When query is made why the LRs are directed to remain present, it was told by learned Advocate for the Plaintiffs that the deceased Defendant owes certain amount to the Court Receiver. Learned Advocate for the Defendants submitted that she will instruct newly added Defendants to do the needful.

5. Defendant Nos.3 to 5 have not appeared, inspite of service.

6. Let the Plaintiffs to file documents and the matter be kept for exparte decree against Defendant Nos.3 to 5.

7. Matter be kept on **7th November 2023, for exparte decree.**

[S. M. MODAK, J.]