



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2272 OF 2016

IN

SUIT NO.791 OF 2016

Gulshan Kumar Bhasin

... Applicant

Vs.

Raj Kumar Bhasin and others

... Defendants

WITH

INTERIM APPLICATION (L) NO.18032 OF 2023

(Not on Board. Taken on Board.)

IN

SUIT NO.791 OF 2016

Mr. Sunny Shah and Mr. Raunak Shirsekar i/b. Ashwin Ankhad & Associates for Applicant.

CORAM : MANISH PITALE, J.**DATE : JULY 31, 2023****P.C. :**

. Interim Application (L) No.18032 of 2023 is filed on behalf of the plaintiff seeking to bring on record legal representatives of defendant No.3, who expired during the pendency of the present suit, on 04.04.2023. Although the said application is not on Board, in the interest of justice, it is taken on Board.

2. Mr. Sunny Shah, learned counsel appearing for the applicant / plaintiff has invited attention of this Court to the documents annexed to the application. It is evident that the advocate appearing for the deceased defendant No.3 informed by letter dated 05.06.2023 to the advocates appearing for the plaintiffs about the death of defendant No.3. Thereafter, necessary steps were taken in filing the said application for bringing on record legal representatives of the deceased defendant No.3. Copy of the death certificate is also placed on record and amendment is sought as per Exhibit-B to the said application for bringing on record



defendant Nos.3(a) and 3(b) as legal heirs of the deceased defendant No.3.

3. The application is filed within time and this Court is satisfied that the application deserves to be allowed in terms of the prayers made therein. Accordingly, the application is allowed. The amendment be carried out in terms of Schedule at Exhibit-B, within two weeks from today.

4. Since defendant No.2 and original defendant No.3 were represented by the same advocate, in the interest of justice, the plaintiffs are permitted to serve notice to defendant Nos.3(a) and 3(b) through the advocate representing defendant Nos.2 and original defendant No.3.

5. The pleadings in Notice of Motion No.2272 of 2016 are complete. Hence, list the Notice of Motion for final disposal on 06.09.2023, H.O.B.

(MANISH PITALE, J.)

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