

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.262 OF 2014  
IN  
CROSS OBJECTION (ST).NO.5380 OF 2009  
IN  
FIRST APPEAL NO.775 OF 2008

Manda @ Mandabai Suresh Mundkar  
and Ors. .. Applicants

In the matter of :

The State of Maharashtra .. Appellant

*-Versus-*

Suresh Rajaram Mundkar (deceased)  
through Lrs. and Ors. .. Respondents

Mr.Sachin Punde for applicants  
Mr.Amit Palkar, AGP for State.

CORAM : K.K.TATED, J.

DATE : 20<sup>th</sup> March 2015.

P.C.

1] Heard learned Counsel for the applicant/ respondent and  
Mr.Palkar, learned AGP for State.

2] This application is preferred by the claimants for bringing legal  
heirs of Suresh Mundkar respondent No.1 on record, who died on

23<sup>rd</sup> August 2010.

3] Learned AGP appearing for appellants in First Appeal No.775 of 2008 submits that in view of the present civil application they may be allowed to carry out amendments in First Appeal for bringing the legal heirs of Suresh Mundkar, deceased respondent No.1 on record.

4] Hence, by consent, following order is passed:-

(a) Civil application is allowed in terms of prayer clauses (a), (b) and (c) which read thus;

(b) The appellant – State of Maharashtra in First Appeal No.775 of 2008, is permitted to carry out appropriate amendments in cause title of the first appeal by bringing the legal heirs of deceased respondent No.1 Suresh Mundkar on record;

(c) Legal heirs of deceased respondent No.1 Suresh Mundkar waive service in First Appeal No.775 of 2008;

(d) Amendments to be carried out in Cross Objections and First appeal by respective parties within six weeks.

(e) Civil Application disposed of

( K.K.TATED, J.)

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P.C.

1] Heard learned Counsel for the applicant/ respondent and Mr.  
Palkar, learned AGP for State.

2] This application is preferred by the claimants for bringing legal  
heirs of Hemlata S. Mundkar respondent No.3 on record, who died

on 29<sup>th</sup> November 2010.

3] Learned AGP appearing for appellants in First Appeal No.775 of 2008 submits that in view of the present civil application they may be allowed to carry out amendments in First Appeal by bringing the legal heirs of Hemlata Mundkar, deceased respondent No.3 on record.

4] Hence, by consent, following order is passed:-

(a) Civil application is allowed in terms of prayer clauses (a), (b) and (c) which read thus:

(b) The appellant – State of Maharashtra in First Appeal No.775 of 2008, is permitted to carry out appropriate amendments in cause title of the first appeal by bringing the legal heirs of deceased respondent No.3, Hemlata Mundkar on record;

(c) Legal heirs of deceased respondent No.1 Hemlata Mundkar waive service in First Appeal No.775 of 2008;

(d) Amendments to be carried out in Cross Objections and First appeal by respective parties within six weeks.

(e) Civil Application disposed of

(K.K.TATED, J)