

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.880 OF 2015
in
SECOND APPEAL NO.702 OF 2014**

Sakru Vithoba Girkar (since deceased)
through his legal heirs

1A.Suryakant Sakru Girkar & Ors. .. Applicants

Vs.

Balakrishna Ramaji Bhalekar & Ors. .. Respondents

Mr.S.N. Naik for the Applicants.

Mr.Aniket Ranade for the respondent nos.2A, 3, 4A to 4D, 6A, 7A, 8A,
10A, 12 and 13.

CORAM : R.D. DHANUKA, J.

DATE : 30th August 2016

P.C.

. By this civil application, the applicants seek amendment to the second appeal and seek permission to add two additional grounds in the appeal memo. I have heard learned counsel appearing for the parties.

2. Learned counsel appearing for the respondent nos.2A, 3, 4A to 4D, 6A, 7A, 8A, 10A, 12 and 13 submits that the additional grounds sought to be included in the appeal memo are not relevant. Relevancy of the additional grounds in the appeal memo can be considered at the time of considering the admission of the second appeal.

3. For the reasons recorded in the civil application, the applicants are allowed to amend the grounds of the second appeal. Amendment to be carried out within two weeks from today. Amended

copy of the second appeal to be served upon the learned advocate representing the respondents simultaneously.

4. Civil application is disposed of in aforesaid terms. No order as to costs.

5. Place the second appeal on board for 'Admission' on 19th September 2016.

R.D. DHANUKA, J.