

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

**CIVIL APPLICATION NO.1988 OF 2016
IN
FIRST APPEAL NO.1324 OF 2014**

Jagdish Shankar Sawant and anr. : Applicants.

In the matter between

Jagdish Shankar Sawant and anr. : Appellants.

Versus

Mrs. Prema Jagannath Chondnekar and ors. : Respondents.

Mr. A M Khandekar i/by Mr. Tamhane & Co. for the Applicants.

Mr. Santosh S Chondankar i/by V Y Sanglikar for the Respondent Nos.1 to 5.

Mr. Nirav Barot i/by Maneksha & Sethana for the Respondent No.6.

CORAM : R. M. SAVANT, J.

DATE : 05th July 2016

P.C.

1 The above Civil Application has been filed by the Applicants seeking deletion of the Respondent Nos. 4 and 5 and for bringing the heirs of the Respondent No.5 on record who are shown as proposed Respondents in the cause title as the Respondent Nos.5(a) and 5(b) in the above First Appeal.

2 The above Civil Application is accordingly allowed. Resultantly, the Respondent Nos.4 and 5 are allowed to be deleted and the heirs of the Respondent No.5 i.e. the proposed Respondents are allowed to be brought on record in the above First Appeal as the Respondent Nos.5(a) and 5(b). The

Respondent No.4 has no heirs however the cause of action survives to the other Respondents.

3 In so far as the pending Civil Application No.3850 of 2014 is concerned, the cause title of the pending Civil Application in the above First Appeal also to be amended so as to bring it in consonance with the cause title of the above First Appeal. Amendment to be carried out within two weeks from date. The above Civil Application is accordingly disposed of.

[R.M.SAVANT, J]