

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.4831 OF 2016
IN
FIRST APPEAL NO. OF 2695 OF 2007
WITH
CIVIL APPLICATION NO.4253 OF 2016
IN
FIRST APPEAL NO. OF 441 OF 2008

M/s. Sun Enterprises and Others	...Applicants
<i>In the matter between</i>	
Madhukar Hari Mote and Others	...Appellants
vs.	
Late Dattatraya Shankar Mote and Others	...Respondents

Ms. Madhu Hiraskar i/b. Chitnis Vaithy & Co., for the Applicant in C.A. No. 4831 of 2016.

Ms. Lalita Panchakshari, for the Appellants.

Mr. S.K. Gunjkar i/b. Jaydeep Deo for the Applicants in C.A. No. 4253 of 2016/Original Respondents.

**CORAM : SHANTANU S. KEMKAR &
M. S. SONAK, JJ.**

DATE : JUNE 14, 2017

P.C.:

. The Appeals have already been admitted. In view of the earlier order, it be listed for final hearing under the caption “*Expedited matter*”, but by including it in final hearing board under the said caption.

2. Meanwhile the Appellants to file the paper book within four weeks and to clear the office objection failing which the Appeals shall be dismissed without further reference to the Court.

3. Heard learned counsel for the parties on the Civil Application No. 4253 of 2016 seeking permission to bring the legal heirs of Respondent No. 7 Usha Pathak on record. On due consideration, the Civil Application No. 4253 of 2016 is allowed.

4. Issue notice to the newly added Respondents. The learned counsel Mr. Gunjkar waives service of notice for the newly added Respondents. The amendment in the cause title to be carried out within two weeks.

5. As a result, Civil Application No. 4253 of 2016 is disposed of.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)