

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

**CIVIL APPLICATION NO. 520 OF 2016
IN
SECOND APPEAL (ST) NO. 30397 OF 2015**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Prothonotary's orders	Court's or Judge's orders
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Mr. Vijay S. Gharat for Applicants.

**CORAM : K. K. TATED, J.
DATE : DECEMBER 11, 2017**

P.C.:

1. Heard learned Counsel Mr. Gharat for Applicants.

2. The learned Counsel for Applicants submits that Second Appeal is preferred by the original Defendants. He submits that at the time of filing Second Appeal, he has given undertaking to this Court that he will file Vakalatnama on behalf of Appellant Nos. 1,2,4 and 5.

3. The learned Counsel for Applicants submits that after filing Second Appeal, Applicant No. 4 – Mahadu Rama Bhagat is not co-operating and he is not ready to sign the Vakalatnama. Therefore, they have preferred this Civil Application to transpose the Applicant No. 4 as Respondent No.2 in Second Appeal.

4. Considering the submission made by the learned Counsel for Applicants and the reasons disclosed in Civil Application, I am satisfied that Applicants have made out the case for allowing this Civil Application. Hence, the following order.

ORDER

(A) Civil Application is allowed in terms of prayer clause (a) which read thus :

“ (a) This Hon'ble Court be pleased to transpose the Appellant/Applicant No.4 as a Respondent No.2 in abovesaid Second Appeal and allow to amend the Second Appeal and other Application accordingly.”

(B) Amendment to be carried out in Second Appeal and pending Civil Applications on or before 19th January, 2018.

(C) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)