

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO. 1024 OF 2019****IN****APPEAL FROM ORDER NO. 67 OF 2018**

Shri Halai Brahmakshana Panch

....Applicant.

IN THE MATTER BETWEEN-

Ganga Prasad Chetnarayan Mishra & Ors.

.....Appellants.

Vs.

Shah Babulal Khimji
(Deceased) Through L.Rs.

.....Respondents.

Mr. Sagar Talekar i/by Sagar Agarkar for the Appellants.

Mr. Dinesh Shah for the Respondent Nos. 1A to 1E.

Mr. Y.B. Dandekar for the Applicant in CAA No. 1024 of 2019.

CORAM : A. S. GADKARI, J.**DATE : 18th NOVEMBER, 2019.****P.C.:-**

This is an Application for impleading the Applicant as Respondent No.2 in Appeal from Order No. 67 of 2018.

2 Learned counsel for the Applicant submitted that, the Applicant has been directed to be impleaded as a Defendant No.2 in the Suit No. 3116 of 2008 by the learned Judge of the City Civil Court, Mumbai by its Order dated 11th September, 2017. However, the Appellants have not impleaded the Applicant as a Respondent herein.

3 In view thereof and for the reasons stated in the Application, Application is allowed in terms of prayer clause (a).

 The Appellants are directed to carry out necessary amendment within a period of two weeks from today and an amended copy of the compilation of Appeal Memo be served upon the learned counsel for the Respondents within the same stipulated period.

(A.S. GADKARI, J.)