

Andreza

**IN THE HIGH COURT OF BOMBAY AT GOA**  
**MISC. CIVIL APPLICATION NO. 802 OF 2019**  
**IN**  
**SECOND APPEAL NO. 40 OF 2015**

1. BHANUDAS BHAMAIKAR (DEC)., ...APPLICANT  
*Versus*  
1. YESHWANT B. DESSAI AND 8 ORS. ...  
RESPONDENTS

**Mr. Ganehs Naik, Advocate for the Applicants.**

**Mr. Jatin Ramaiya, Advocate for the Respondent nos. 1, 3, 4, 7 and 8.**

**CORAM: MANISH PITALE, J**

**DATED: 5<sup>th</sup> October 2021**

**P.C.**

1. This is an application seeking transposition of legal heirs of Respondent no. 9 as Appellants in the present Second Appeal.

2. Mr. Naik, learned Counsel, has instructions and he has filed Wakalatnama for Respondent nos. 9(a) and 9(aa). Although the other legal heirs of the Respondent no. 9 i.e. 9(b) to 9(ee) have been served with notices, they have chosen not to appear before this Court.

3. In these circumstances, Mr. Naik, the learned Counsel appearing for the Appellant-Applicant, restricts his prayer in the present application for transposition of Respondent no. 9(a) and 9(aa) as Appellants.

4. There is no specific objection on the part of the Respondents appearing through Counsel for the grant of such prayer.

5. In view of the above, the application is partly allowed. Respondent no. 9(a) and 9(aa) are permitted to be transposed as Appellants in the Second Appeal.

**MANISH PITALE, J.**

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