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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2248 OF 2021

IN

SECOND APPEAL (STAMP) NO.21778 OF 2019

WITH

CIVIL APPLICATION NO.458 OF 2020

WITH

CIVIL APPLICATION NO.459 OF 2020

Vijay Badridas Bairagi] ... Applicant/Appellant

Versus

Shri Sanjay Vishnudas Bairagi & Ors.] ... Respondents

Mr. Rahul Motkari for Applicant / Appellant.

CORAM :- A. S. GADKARI, J.

DATE :- 08 SEPTEMBER, 2021

P. C. :-

1. This is an application for deletion of Respondent No.3 from the array of Respondents and for bringing legal heirs of Respondent No.4 on record.

2. It is stated that Respondent No.3 expired on 29/04/2021. That, the legal heirs of the Respondent No.3 are already on record and therefore the Appellant is seeking leave to delete the name of Respondent No.3 from the array of Respondents.

3. As far as Respondent No.4 is concerned, it is stated that she expired on 06/05/2021 and the names of her legal heirs are as stated in paragraph no.6 of the application.

4. The present application is filed within the period of limitation.

5. In view of the above, the Applicant is permitted to delete Respondent No.3 from the array of the Respondents and bring legal heirs of Respondent No.4 on record.

Application is allowed in terms of prayer clauses (a) and (b).

6. Necessary amendment be carried out within a period of three weeks from today.

After the amendment is carried out, the Registry is directed to issue notice to the legal heirs of the Respondent No.4 making it returnable six weeks thereafter.

7. Interim Application No.2248 of 2021 is accordingly disposed off.

(A. S. GADKARI, J.)