

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3486 OF 2021

IN

FIRST APPEAL NO. 767 OF 2017

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Dharamshri Trading and Marketing  
Pvt. Ltd.

...Applicant

*In the matter between :*

Dharamshri Trading and Marketing  
Pvt. Ltd.

.. Appellant

vs.

1. Motilal Manshi Shah  
(Since Deceased)

1A. Mrs. Hiraben Motilal Shah  
& Ors.

...Respondents

WITH

CIVIL APPLICATION NO. 588 OF 2017

WITH

INTERIM APPLICATION NO. 3486 OF 2021

IN

FIRST APPEAL NO. 767 OF 2017

Ms. Rajni Mishra i/b Dinesh Tiwari and Associates for applicant  
in IA/3486 of 2021.

Mr. Shivam Bhagwati i/b Yatin Shah for respondent Nos. 1A to 1F.

Ms. Nishtha Shah i/b Unisource Legal Associates for proposed  
respondent Nos. 3A to 3D.

CORAM : N. J. JAMADAR, J.

DATE : 24<sup>th</sup> NOVEMBER, 2021

P.C.:

INTERIM APPLICATION NO. 3486 OF 2021

1. Heard the learned counsel for the applicant.

2. This application is taken out to bring the legal

representatives of respondent No.3, who passed away on 3<sup>rd</sup> September 2021. The application is within the stipulated period of limitation. It is supported by copy of the Death Certificate and the affidavit of the appellant/applicant. There is no dispute about the proposed legal representatives of the respondent No.3 as well.

3. Ms. Shah, the learned counsel submits that she has instructions to appear on behalf of respondent Nos.3A to 3D.

4. Hence, the application stands allowed in terms of prayer clause (a).

5. Necessary amendment be carried out forthwith.

6. The application stands disposed of.

#### **FIRST APPEAL NO. 767 OF 2017**

7. Issue notice to the newly impleaded respondent Nos.3A to 3D.

8. The learned counsel waives notice on behalf of respondent Nos. 3A to 3D.

9. The First Appeal be listed in 12<sup>th</sup> January 2022.

**(N. J. JAMADAR, J.)**