

Santosh

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

**INTERIM APPLICATION NO. 3551 OF 2019
IN
FIRST APPEAL (ST) NO. 30555 OF 2019**

SANTOSH
SUBHASH
KULKARNI

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Date: 2021.10.07
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Mr. Andrew Ignatius

...Applicant/
Ori.Defendant

Versus

Mr. Anthony Derek Rebello

...Respondents/
Ori.Plaintiff

And

Mrs. Kamlesh Anthony Rebello, LR &
Representative of deceased ori.Plaintiff.

...Proposed
Respondent

Mr. Santosh Vishwakarma, for the Applicant/Appellant.

Mr. Kunal Bhange, a/w Abhijit Patil & Yash Joglekar, for
proposed Respondent.

CORAM: N. J. JAMADAR, J.

DATED : 6th OCTOBER, 2021

PC:-

1. Heard the learned Counsels for the parties.
2. This application is preferred to bring the legal representatives of the respondent – original plaintiff, who expired on 27th December, 2018, after the decree was passed by the learned Judge, City Civil Court, Greater Bombay, on 26th July, 2018. Initially, the appeal and the application were preferred impleading the original plaintiff. This application is preferred to bring the legal representative of the deceased plaintiff on record as a party respondent.

3. Mr. Bhange, the learned Counsel for the proposed respondent, submits that there is no dispute over the fact that the proposed respondent is the sole surviving legal representative of the deceased plaintiff Mr. Anthony Derek Rebello.

4. In view of the aforesaid statement and to advance the cause of justice, the application deserves to be allowed. Hence, the following order:

: O r d e r :

- (i) The application stands allowed in terms of prayer clause (a).
- (ii) Necessary amendment be carried out in the appeal-memo.

[N. J. JAMADAR, J.]