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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.813 OF 2019
IN
APPEAL NO.62 OF 2007
IN
ARBITRATION PETITION NO.119 OF 2006

Manish H. Pabari

...Applicant
...Appellant No.2

IN THE MATTER BETWEEN :

Harishandas T. Pabari & Ors.
V/s.

...Appellants

Sushant R. Acharya & Ors.

...Respondents
...Ori.Respd. Nos.1 & 3

And

\Nikita S. Acharya

...Proposed Respondent

Mr.Rajiv Narula i/b M/s.Jhangiani Narula & Associates for the
Applicant / Appellant.

Ms.Rajalakshmy Mohandas with Mr.Rajul Jain i/b M/s.Rajalakshmy
Associates for the Respondent No.1(a) – Ms.Nikita Sushant Acharya.

Mr.Chaitanya R. Kulkarni i/b Ms.Shubhangi Sangle for the proposed
Respondent No.2(a) – Mr.Alok Nandkishor Acharya.

Mr.Siddhesh Borkar i/b Mr.Sachin Dhakephalkar for the Respondent.
No.2.

**CORAM : R.D. DHANUKA &
V.G. BISHT, JJ.**

DATE : 19TH MARCH, 2021.

P.C. :-

1. By this notice of motion, the applicant (original appellant no.2) seeks condonation of delay in filing the notice of motion and for amendment in the appeal memo and pending notice of motion as per schedule appended to the notice of motion. The respondent no.1 has expired. The appellant seeks to implead the legal heirs of the respondent no.1. Learned counsel appearing for the respondent no.1(a) - Ms.Nikita Sushant Acharya, legal heir of the respondent no.1 has no objection if the delay in filing the notice of motion is condoned and if the legal heir is impleaded as the respondent no.1(a). Statement is accepted. She undertakes to file Vakalatnama within two weeks from today. Undertaking is accepted.

2. The notice of motion is made absolute in terms of prayer clauses (a) and (b). The amendment to be carried out within two weeks from today. The amended copy along with compilation of documents shall be served upon the learned counsel appearing for the newly added party within two weeks from the date of carrying out amendment.

(V.G. BISHT, J.)

(R.D. DHANUKA, J.)

Vasant
A. Idhol

Digitally signed
by Vasant A. Idhol
Date: 2021.03.22
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