

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

**INTERIM APPLICATION NO.2882 OF 2021
WITH
INTERIM APPLICATION NO.2884 OF 2021
WITH
INTERIM APPLICATION NO.2887 OF 2021
WITH
INTERIM APPLICATION NO.94 OF 2022
WITH
INTERIM APPLICATION NO.2886 OF 2021
WITH
INTERIM APPLICATION NO.2885 OF 2021
WITH
INTERIM APPLICATION NO.315 OF 2019
IN
FIRST APPEAL NO.1081 OF 1996**

Vijay @ Ambadas Dattatraya Pawar
since deceased though his heirs and
legal representatives

1.1- Kamal Ambadas Pawar and Ors.

...Applicants

Versus

Ramappa Ambannappa Masare since
deceased through his legal heirs and
representatives-

1A. Mallinath Ramappa Masare and Ors.

...Respondents

...

Mr. Machhindra Patil i/b. Ambadas R. Rayani for the Applicant.

Mr. R.S. Alange for Respondent Nos.1A to 1C.

Mr. Y.Y. Dabke, AGP for Respondent-State.

Mr. Abhinav A. Bhatkar i/b. Mr. Vijay Killedar for Respondent Nos.3A,
3B-1, 3B-2, 3B-3, 3C and 3D in IA/2884/2021 for Respondent No.7A,
7B and 7C in IA/2882/2021.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 7th OCTOBER, 2022.

P. C. :-

INTERIM APPLICATION NO.2882 OF 2021:-

1. By this application, the Applicant has sought to bring on record the legal representatives of the deceased Respondent No.1. Mr. R.S. Alange, learned counsel waives service of notice on behalf of proposed legal representatives of Respondent No.1 being Respondent Nos.1A to 1C. Learned counsel for the proposed Respondent No.1 also seeks time to file reply to the application. Time is granted.

2. Stand over to **21/11/2022**.

INTERIM APPLICATION NO.2884 OF 2021:-

3. By this application, the Applicant has sought leave to bring on record the legal representatives of Respondent No.3B. Mr. Abhinav Bhatkar, learned counsel waives service of notice on behalf of legal representatives of Respondent No.3 including proposed legal representatives of Respondent No.3B. He has no objection to condone the delay and to bring on record the legal representatives of Respondent No.3B.

4. Hence, the application is allowed. Legal representatives of Respondent No.3B-Amol Pujari are ordered to be brought on record as Respondent Nos.3B-(i) to 3B-(iii). Cause title be amended

within a period of two weeks.

5. Application stands disposed of.

INTERIM APPLICATION NO.2887 OF 2021 :-

6. By this application, the Applicant has sought leave to bring on record the legal representatives of Respondent No.7. Mr. Abhinav Bhatkar, learned counsel waives service of notice on behalf of the proposed legal representatives of Respondent No.7. He has no objection to condone the delay, set aside abatement and to bring on record the legal representatives of Respondent No.7.

7. Hence, the application is granted. The delay is condoned. Abatement is set aside. The legal representatives of Respondent No.7 be brought on record as Respondent Nos.7A to 7C. Cause title be amended within a period of two weeks.

8. Application stands disposed of.

INTERIM APPLICATION NO.94 OF 2022:-

9. Learned counsel for Respondent Nos.3, 7 and 5 including the legal representatives of the respective Respondents, have no

objection to allow the application. Learned counsel for the proposed legal representatives of Respondent No.1 seeks time to file reply. Time is granted.

10. Stand over to **21/11/2022.**

INTERIM APPLICATION NOS.2886 and 2885 OF 2021:-

11. Learned counsel for the Appellant to serve the proposed legal representatives by private service. Stand over to **21/11/2022.**

(SMT. ANUJA PRABHUDESSAI, J.)