

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

**SECOND APPEAL NO. 717 OF 2016
ALONGWITH
CIVIL APPLICATION NO. 1018 OF 2016
IN
SECOND APPEAL NO. 717 OF 2016**

Mr. Najir Farid Shaikh ...Appellant
vs.
Mr. Ramchandra Sadashiv Sankpal and Anr. ...Respondents

**ALONGWITH
INTERIM APPLICATION NO. 1763 OF 2021
WITH
SECOND APPEAL NO. 717 OF 2016**

Najir Farid Shaikh
(since Decd. Thr. LRs) Rabiya Sharif
Inamdar and Ors. ...Applicants
vs.
Ramchandra Sadashiv Sankpal
(since Decd. Thr. LRs)
Laxmi Ramchandra Sankpal and Ors. ...Respondents

Mr. P. G. Kathane a/w Anjaykumar P. Kari a/w Vikas J. Wagh - Advocate
for the Appellant
Adv. Wasim Samlewale – Advocate for Respondent No. 1.
Mr. Prashant P. Jadhav – Advocate for the Respondent No. 2 Sangli Miraj
Kupwad Corporation.

CORAM : S. M. MODAK, J.

DATE : 02nd AUGUST, 2022

P. C. :-

INTERIM APPLICATION NO. 1763 OF 2021

1. Respondent No. 1 Ramchandra expired on 12/02/2021. Copy of the

death certificate is annexed. The details of the Legal representatives are given in para no. 4. The application is filed in time.

2. The learned Advocate earlier representing the Respondent No. 1 also waives notice for the Legal representatives.

3. In view of that, the Application is allowed in terms of prayer clause 'a'.

4. Amendment be carried out during the course of the day.

5. Amended copy be served on the Respondents' advocate.

6. The Interim Application No. 1763 of 2021 is disposed of.

SECOND APPEAL NO. 717 OF 2016

7. Heard both the learned Advocates.

8. The suit for specific performance was partly decreed and Defendant No. 1 was directed to refund certain sum of money alongwith interest. This judgment is challenged before the First Appellate Court. It was dismissed. This appeal filed by the Defendant No. 1.

9. Learned Advocate for the proposed Legal representatives of Respondent No. 1 submitted that since 2016, the matter is pending for admission and he requested for fixing the date of admission.

10. In view of that matter be fixed **for admission on 08/09/2022.**

11. On that date Court will positively hear the matter.

[S. M. MODAK, J.]