

Pallavi

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.19846 OF 2022
IN
SECOND APPEAL NO.808 OF 2019

Shri. Dattatraya Shankar Patil (Deceased)
Through LR's Shri Shankar Keshav Patil & Anr. ...Applicants
In the matter of
Shri. Dattatraya Shankar Patil & Anr. ...Appellants
Versus
Smt. Hashmatbi Gulab Pathan (Deceased)
Through LR's Salim Gulab Pathan and Ors. ...Respondents

Mr. Nikhil N. Pawar, for the Applicants/Appellants.

CORAM: MADHAV J. JAMDAR, J.
DATE: NOVEMBER 21, 2022

P.C.:

1. This is a Civil Application to bring on record the legal heirs of Respondent No.11. Respondent No.11 expired on 14th October 2020 and Interim Application is filed on 25th July 2022. Due to Covid Pandemic, the Supreme Court suspended the limitation period from 15th March 2020 to 28th February 2022. Therefore, there will be delay of about 2 months in bringing on record the heirs of Respondent No.11. This Court by order dated 21st January 2020 has issued notice to the Respondents. When the said notice was sought to be served on Respondent No.11, it transpired that

Respondent No.11 had passed away on 14th October 2020. Hence, for the reasons set out in the civil application, the same is allowed in terms of prayer clause (b). Amendment to be carried out within a period of one week. After the Appeal Memo is amended, notice be issued to the newly added heirs of Respondent No.11 i.e. Respondent Nos.11-A to 11-F, returnable on **12th December 2022**.

2. Interim application is disposed of in above terms.

(MADHAV J. JAMDAR, J.)