

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

**SECOND APPEAL NO. 465 OF 2018  
ALONGWITH  
CIVIL APPLICATION NO. 1008 OF 2017  
IN  
SECOND APPEAL NO. 465 OF 2018**

Chintamani Dinkar Joshi ...Appellant/Applicant  
vs.

Prasannakumar Moreshwar Ponkshe  
and Ors. ...Respondents

**ALONGWITH  
INTERIM APPLICATION NO. 378 OF 2020  
ALONGWITH  
INTERIM APPLICATION NO. 2780 OF 2022  
IN  
SECOND APPEAL NO. 465 OF 2018**

Chintamani Dinkar Joshi  
(Decd. Thr. LRs) Smt. Shobhana  
Chintamani Joshi and Ors. ...Applicants  
vs.

Prasannakumar Moreshwar Ponkshe  
and Ors. ...Respondents

\*\*\*\*\*

Mr. Rakesh Bhatkar - Advocate for the Appellant  
Mr. Shashank Mangle - Advocate for the Respondent No. 1

\*\*\*\*\*

**CORAM : S. M. MODAK, J.**

**DATE : 21<sup>st</sup> JULY, 2022**

**P. C. :-**

**INTERIM APPLICATION 2780 of 2022**

1. Heard the learned counsel for the Applicant. Respondent No. 1

expired on 26/06/2021. Copy of the death certificate is annexed. The learned Advocate representing Respondent No. 1 earlier submitted that he is not having any instructions. Issue notice to the proposed Legal representatives as mentioned in para no. 3 of the application. The Applicant is permitted to serve the Legal Representatives by private notice and file affidavit of service on record.

2. Stand over to 18/08/2022.

### **INTERIM APPLICATION 378 of 2020**

3. Heard the learned counsel for the Applicant. The sole appellant expired on 04/07/2019. Copy of the death certificate is annexed. There is a delay of 103 days in preferring the appeal. Learned Advocate for the Respondent No. 2 is consenting.

4. For the reasons stated in the application, delay is condoned. Name of the sole appellant be deleted and Legal representatives be added on record. Amendment to be carried out within 14 days. Copy be supplied to the Respondents. The Interim Application is disposed of.

**[S. M. MODAK, J.]**