

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

**INTERIM APPLICATION NO. 16849 OF 2022  
IN  
SECOND APPEAL NO. 155 OF 2014**

Bhalchandra Janardan Patne ...Applicant/Appellant  
vs.  
Chandrakant Janardan Aagine and Ors. ...Respondents

**ALONGWITH  
INTERIM APPLICATION NO. 16850 OF 2022  
IN  
SECOND APPEAL NO. 155 OF 2014**

Bhalchandra Janardan Patne and Ors. ...Applicants/Appellants  
vs.  
Chandrakant Janardan Aagine and Ors. ...Respondents

**ALONGWITH  
CIVIL APPLICATION NO. 166 OF 2013  
IN  
SECOND APPEAL NO. 155 OF 2014**

Bhalchandra Janardan Patne ...Applicant/Appellant  
vs.  
Chandrakant Janardan Aagine ...Respondent

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Mr. Rishikesh Gherade i/by Mr. Harshad Bhadbhade - Advocate for the  
Applicant/Appellant  
Mr. Rakesh Bhatkar - Advocate for the Respondent No. 1

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

**DATE : 27th JULY, 2022**

**P. C. :-**

**INTERIM APPLICATION NO. 16849 OF 2022**

1. Respondent No. 3 expired. The learned Advocate for the Appellant is not having the exact information about the date of death. The Appellant first to produce the copy of the death certificate or file affidavit about date of death.
2. However as per the Order passed by the learned Registrar Judicial dated 06/06/2019, the Appeal against Respondent No. 3 got abated. The Appellant ought to have taken note of these facts. If they want they can take appropriate steps.

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3. Respondent No. 4 expired on 18/07/2021. Copy of the death certificate is annexed. It is submitted that Respondent No. 4 is the sister of the Appellant and she is supporting the Appellant.
4. Heard the learned Advocate for the Respondent Nos. 1 and 2.
5. There is a delay in filing this application. It is submitted that as death certificate was not received earlier, the Application could not be filed in time. Hence delay is condoned. The Interim Application No. 16850 of 2022 is allowed. The name of the Respondent No. 4 be deleted and name of her Legal representatives prescribed in the prayer clause 10(e) be added. The Interim Application No. 16850 of 2022 is disposed of. Necessary amendment be carried out within 14 days.

**SECOND APPEAL NO. 155 OF 2014**

6. Respondent No. 4 – Sou. Malati Sadanand Patne expired and her Legal representatives were allowed to be brought on record. After carrying out the amendment, issue notice to the Respondent Nos. 4A to 4F, returnable on 05/09/2022.

7. Stand over to 05/09/2022.

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