

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.20551 OF 2022
IN
FIRST APPEAL NO.36 OF 1997

Shri.Dhiraj Ratilal Shaha & Ors. ...Applicants

IN THE MATTER BETWEEN

Shri.Dhiraj Ratilal Shaha & Ors. ...Appellants

Versus

Shri.Chhaganlal Vallabhdas Shaha & Ors. ...Respondents

Ms.Rukmini Khairnar i/b Mr.P.N. Joshi, for the Applicants.
Mr.R.V. Chile, for Respondent Nos.1 and 2.

CORAM : S.G. DIGE, J.

DATE : 12 DECEMBER 2022

P.C:-

. Heard learned counsel for the Applicants and the learned counsel for Respondent Nos.1 and 2.

2. The learned counsel for the Applicants submit that during the pendency of the Appeal the Respondent No.2 is died, hence, his legal heirs are necessary to take on record and requested to allow the Application.

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3. Considering the submissions of both learned counsel and the reasons mentioned in the Application, the Application is allowed.

4. The Applicant to take steps within two weeks.

5. The order passed by this Court dated 20 September 2022 is recalled.

(S.G. DIGE, J.)