

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**INTERIM APPLICATION NO. 4372 OF 2021
IN
FIRST APPEAL (ST.) NO. 17066 OF 2015**

PARVEZ ARDESHIR BUZORG } APPLICANTS

V/S.

HADOKHT FAREDOON BEHRAM

KERMANIAN AND ORS. } RESPONDENTS

* * * *

Mr. Tejas Deshpande, Advocate for the applicants.

**Ms. Neha Choksi, Advocate for respondents no.4a, 4b and
4d.**

Coram : Sandeep K. Shinde, J.

Friday, 11th March, 2022.

P.C. :

1) This application seeks to bring on record, the legal
representatives of respondent no.4, who passed away on
29th October, 2021. Application is within time. Learned

**NEETA
SHAILESH
SAWANT**

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NEETA SHAILESH
SAWANT

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Counsel appearing for the proposed respondent no.4b- Mr.
Hoshang Boman Irani, submits that, Hoshang Irani is not

the legal heir of the deceased respondent no.4, as per the Parsi law by which the deceased was governed.

2) Keeping this contention open, the application is allowed in terms of prayer clauses (a) and (b); which reads as under :

“a. The Hon’ble Court be pleased to permit substitution of deceased Respondent with her legal heirs as per Order XXII of C.P.C. 1908 and the Appeal be proceeded with in the name of such proposed Respondents;

b. The Hon’ble Court be pleased to call upon the proposed Respondents to be added to disclose the names & addresses of the remaining legal heirs of the deceased Respondents (if any).”

3) Consequential amendments to be carried out within three weeks from today.

(Sandeep K. Shinde, J.)