

Dusane

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

**INTERIM APPLICATION NO.2045 OF 2020
IN
SECOND APPEAL NO.122 OF 2018
WITH
CIVIL APPLICATION NO.1507 OF 2017**

Sagar Ramchandra Prabhale ...Applicant

V/s.

M/s Khutale Chitrapat Gruha, ...Respondents
A Partnership Firm registered under
the Indian Partnership Act, 1932
represented by its partners:
Anil Dattatraya Khutale & Ors.`

Mr. Pradip Zende a/w Faiza Shaikh and Mr. Malhar
Pawar i/by Mr. Nandu Pawar for Applicant/
Appellant.

Mr. P.B. Gujar for Respondent Nos. 1A to 1C.

CORAM: MADHAV J. JAMDAR, J.
DATE: 19th June 2023

P.C.:

1. Heard Mr. Zende, learned Counsel appearing for the
Applicant and Mr. Gujar, learned Counsel appearing for the
Respondent Nos. 1A to 1C.

- 2.** The Interim Application is taken out to bring on record legal heirs of Respondent No.2 and to mention the address of Respondent No. 4(iv) by amending the cause title of the Second Appeal.
- 3.** There is delay in filing the application. Mr. Gujar, learned Counsel appearing for Respondent Nos. 1A to 1C strongly opposes the application.
- 4.** However, as the sufficient reasons are set out for the condonation of delay in the Interim Application, the same is allowed in terms of prayer clauses (b) and (c).
- 5.** Amendment be carried out forthwith.
- 6.** Interim Application is disposed of in above terms with no order as to costs.
- 7.** Second Appeal is adjourned to **26th June 2023** for 'admission'.

(MADHAV J. JAMDAR, J.)