

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

**INTERIM APPLICATION NO.3616 OF 2022
WITH
SECOND APPEAL NO.194 OF 1988**

Ramchadra Dattatraya Shinde

.. Applicant

In the matter between

Dattu Babaji Shinde (since deceased)
through his Lrs

1. Smt. Fulabai Dattatraya Shinde & Ors.

.. Appellants

Versus

Maruti Krishna Shinde & Ors.

.. Respondents

Mr.Pradeep Gole a/w Mr.Suraj Shejwal for the appellants.

Mr.Dilip Bodke a/w Mr.Sharad Bhosale for the respondents.

CORAM : JITENDRA JAIN, J.

DATE : 14th September 2023

P.C.:-

. This application is taken by the Applicant to bring on record the legal heirs of the original Respondent No.1(b) Mr.Sanjay Maruti Shinde who died on 18th May 2021. The application is made on 9th August 2021 and therefore, same is within the limitation period.

2. After perusing the application and the documents annexed, the Applicant is permitted to bring the legal heirs of the original Respondent No.1(b) on record. Interim Application is allowed in terms of

prayer clause (b). Accordingly the appeal may be amended and the amended copy be served on the respondents.

3. Mr.Bodke, learned counsel for the Respondents stated that he had vakalatnama to appear on behalf of Respondent No.1 (b) who passed away on 18th May 2021 therefore, his authority has come to an end.

4. Issue notice to the legal heirs of the original Respondent No.1 (b) so as to give them an opportunity to engage an advocate on their behalf to defend the appeal.

5. Interim Application No.3616 of 2022 is disposed of in terms of the above order.

JITENDRA JAIN, J.