

Nikita

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

**INTERIM APPLICATION NO. 704 OF 2023
IN
FIRST APPEAL NO. 969 OF 2009**

Triza Joseph D'souza,
Since deceased Deleted (No Legal Heirs) ... Appellant

V/s.

Catharine John D'souza, Since Deceased
Through Lrs.

1) Mary Juran Keni And Ors. ... Respondents

**WITH
INTERIM APPLICATION NO. 706 OF 2023
IN
FIRST APPEAL NO.969 OF 2009**

Triza Joseph D'souza,
Since deceased Deleted (No Legal Heirs) ... Applicant

V/s.

Catharine John D'souza,
Since Deceased Through LRs.

1) Mary Juran Keni And Ors. ... Respondents

**WITH
CIVIL APPLICATION NO. 1559 OF 2017
IN
FIRST APPEAL NO.969 OF 2009**

Catharine John D'souza,
Since Deceased Through LRs.

1) Mary Juran Keni And Ors. ... Applicants

V/s.

Triza Joseph D'souza,
Since deceased Deleted (No Legal Heirs) ... Respondents

Ms. Nilima Sanglikar for the applicant.

Mr. A.J. Almeida for the respondents.

CORAM : AMIT BORKAR, J.

DATED : February 06, 2023

P.C.:

Interim Application 704 of 2023.

1. The applicant has filed present application seeking condonation of delay and to bring heirs and legal representatives of deceased appellant No. 2 on record.
2. For the reasons stated therein, the interim application is allowed in terms of prayer clauses (a) and (b).

Interim Application 706 of 2023.

4. The applicants have filed present application seeking permission to deposit arrears of compensation at the rate of Rs. 5,000/-, from March 2020 till January 2023.
3. For the reasons stated therein, the interim application is allowed in terms of prayer clause (a).
4. The applicant is permitted to deposit the arrears of amount in this Court.
5. List the first appeal **for final hearing** on the weekly board commencing from **27th February 2023.**

(AMIT BORKAR, J.)

Note:- This order is modified as per order dated 15th February 2023. In Interim Application No.706 of 2023, paragraph 5 is deleted.