

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.598 OF 2023
WITH
INTERIM APPLICATION NO.600 OF 2023
WITH
INTERIM APPLICATION NO.602 OF 2023
WITH
INTERIM APPLICATION NO.605 OF 2023
IN
SECOND APPEAL NO.804 OF 2002

Maruti Shankar Lokhande (since deceased)
through legal heirs -1a Anjirabai Maruti
Lokhande and Ors. .. Applicants

Versus

Ramchandra Shankar Lokhande (Since
deceased) Through legal heirs – Hirabai w/o
Ramchandra Lokhande and Ors. .. Respondents

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- Mr. Sushil Inamdar, Advocate for Applicants
 - Ms. Amisha Lolusare i./by Mr. Ranjit Thorat, Advocate for Respondents
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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 23, 2023

P.C.:

1. Heard Mr. Inamdar, learned Advocate for Applicants and Ms. Lolusare, learned Advocate for Respondents.

INTERIM APPLICATION NO.598 OF 2023

2. Perused the Interim Application No.598 of 2023

2.1. Mr. Inamdar, learned Advocate for Applicant submitted that Interim Application No.598 of 2023 is filed for bringing the legal heirs

of deceased Appellant who expired on 18.09.2015.

2.2. Names of legal heirs are mentioned in the cause title of the Application.

2.3. Mr. Inamdar would submit that there is delay of approximately 4 years and 11 months, however delay cannot be attributable to the Applicants. Second Appeal was filed and admitted in the year 2002.

2.4. For the reasons mentioned in the Interim Application, Interim Application No.598 of 2023 stands allowed in terms of prayer clauses (a) and (b). Amendment to be carried out within a period of one week from today. Re-verification is dispensed with. Copy of the amended cause title to be served on the other side.

2.5. With the above directions, Interim Application No.598 of 2023 is disposed.

INTERIM APPLICATION NO.600 OF 2023

3. Perused the Interim Application No.600 of 2023

3.1. Mr. Inamdar, learned Advocate for Applicant submitted that Interim Application No.600 of 2023 is filed for bringing the legal heirs of deceased Respondent No.3 who expired on 16.09.2012.

3.2. Names of legal heirs are mentioned in the cause title of the Application.

3.3. Mr. Inamdar would submit that there is delay of approximately 7 years and 10 months, however delay cannot be attributable to the Applicants.

3.4. For the reasons mentioned in the Interim Application and considering that the matter was admitted in the year 2002, Interim Application No.600 of 2023 stands allowed in terms of prayer clauses (a) and (b). Amendment to be carried out within a period of one week from today. Re-verification is dispensed with. Copy of the amended cause title to be served on the other side.

3.5. With the above directions, Interim Application No.600 of 2023 is disposed.

INTERIM APPLICATION NO.602 OF 2023

4. Perused the Interim Application No.602 of 2023

4.1. Mr. Inamdar, learned Advocate for Applicant submitted that Interim Application No.602 of 2023 is filed for bringing the legal heirs of Respondent No.4 who expired on 09.04.2008.

4.2. Names of legal heirs are mentioned in the cause title of the Application.

4.3. Mr. Inamdar would submit that there is delay of approximately 12 years and 2 months, however delay cannot be

attributable to the Applicants.

4.4. For the reasons mentioned in the Interim Application, Interim Application No.602 of 2023 stands allowed in terms of prayer clauses (a) and (b). Amendment to be carried out within a period of one week from today. Re-verification is dispensed with. Copy of the amended cause title to be served on the other side.

4.5. With the above directions, Interim Application No.602 of 2023 is disposed.

INTERIM APPLICATION NO.605 Of 2023

5. Perused the Interim Application No.605 of 2023

5.1. Mr. Inamdar, learned Advocate for Applicant submitted that Interim Application No.605 of 2023 is filed for bringing the legal heirs of Respondent No.1 who expired on 18.12.2016.

5.2. Names of legal heirs are mentioned in the cause title of the Application.

5.3. Mr. Inamdar would submit that there is delay of approximately 4 years and 8 months, however delay cannot be attributable to the Applicants.

5.4. For the reasons mentioned in the Interim Application, Interim Application No.605 of 2023 stands allowed in terms of prayer

clauses (a) and (b). Amendment to be carried out within a period of one week from today. Re-verification is dispensed with. Copy of the amended cause title to be served on the other side.

5.5. With the above directions, Interim Application No.605 of 2023 is disposed.

6. List the Second Appeal on **02nd March, 2023.**

[MILIND N. JADHAV, J.]

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