

Pallavi

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

**INTERIM APPLICATION NO.4007 OF 2023
IN
SECOND APPEAL (ST) NO.7833 OF 2023**

Sarubai Ramchandra Kasurde
@ Saraswati Rama Kasurde
(Since Deceased Thr. LRs.)
Vinod Rajaram Kadam & Ors.

...Applicants

In the matter of

Sarubai Ramchandra Kasurde
@ Saraswati Rama Kasurde
(Since Deceased Thr. Lrs.)
Vinod Rajaram Kadam & Ors.

...Appellants

Versus

Smt. Khashibai Ramchandra Kasurde & Ors.

...Respondents

- Mr. P.B. Shah a/w Ms. Gunjan Shah i/b. K.P. Shah, for the Applicants.
- Mr. A.R. Patil, Addl. G.P., for the Respondent - State.

CORAM : MADHAV J. JAMDAR, J.

DATE : 22nd JUNE 2023

P.C. :

1. Heard Mr. Shah, learned counsel appearing for the Appellants and Mr. A.R. Patil, Addl. Government Pleader for Respondent Nos.3 and 4.

2. As there is delay of about one year in filing the Second Appeal this Court by order dated 24th March 2023 issued notice to the Respondents and made the same returnable on 20th April 2023.

Pallavi

Thereafter, the matter has been adjourned as service has not been completed.

3. Mr. Shah, learned counsel for the Applicants states that either through private service or through Court notice all the Respondents are served and undertakes to file affidavit to that effect within a period of one week.

4. Although the Respondents are served except Respondent Nos.3 and 4 for whom the learned Additional Government Pleader appears, none appears for the Respondents.

5. Mr. Patil, learned Addl. G.P. strongly opposes the application, however, for the reasons sets out in the Interim Application, the same is allowed in terms of prayer clause (a).

6. List the Second Appeal for 'Admission' on **27th June 2023**. To be shown in the 'Supplementary Board'.

[MADHAV J. JAMDAR, J.]