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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3771 OF 2020
IN
FIRST APPEAL NO. 1732 OF 2003

Shri. Sachin Prabhakar Shetye ...Applicant

In the matter between:

Shri Prabhakar Keshav Shetye ...Appellant

Versus

Shri Dasharath Ganpat Berde (Deceased)
through LRS & Ors. ...Respondents

Mr. Rajesh Kachare i/b. V.S. Kokitkar, Advocate for Appellant.

Mr. Vishnu S. Hadade, Advocate for Respondent Nos. 1 to 5.

CORAM : M.M. SATHAYE, J.

DATE : 5th DECEMBER, 2023

P.C. :

1. Heard both sides. This is application for joining the Applicant as Appellant in the place of deceased sole Appellant (Prabhakar Keshav Shetye). In essence, this is a prayer for bringing the Applicant on record as legal heir of the sole Appellant, who has expired on 14/05/2020 and present application is filed on 19/08/2020 as per official website of the High Court. As such there is minor delay of 5 days in filing this application.

2. Heard learned counsel for the Applicant and learned counsel for the Respondents.

3. Considering the extent of delay and averments in the application including general prayer clause (b) praying that “*any other reliefs this Hon’ble Court may deem fit and proper be granted in favour of the Applicant*”, this Application is allowed in terms of prayer clause (a) and (b). Delay is condoned. The present applicant is permitted to bring on record himself in place of sole Appellant. Necessary amendment to be carried within a period of two weeks from today.
4. This Application is disposed off.
5. All concerned to act on authenticated or digitally signed copy of this order.

(M.M. SATHAYE, J.)