

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

**INTERIM APPLICATION NO.4693 OF 2023
IN
CIVIL REVISION APPLICATION NO.423 OF 2016**

**ALBERT JOHN BERLIE (deceased))
SAMUEL CHARLES BERLIE AND ANOTHER)...APPLICANTS**

V/s.

KRISHNARAJ P. KALAPI AND OTHERS)...RESPONDENTS

Mr.Sanskar Marathe, Advocate for the Applicants.

Mr.R.PKarhadkar i/b. Mr.Bharat Joshi, Advocate for the Respondents.

CORAM : ABHAY AHUJA, J.

DATE : 26th JUNE 2023

P.C. :

1. This is an application seeking to implead Applicants No.1 and 2 as Applicants No.1A and 1B in the Civil Revision Application and for setting aside abetment of the Revision Application.

2. Mr.Marathe, learned Counsel for the Applicants, submits that, Applicants No.1A and 1B are wife and son of the original Applicant, who passed away on 1st February 2023. Mr.Marathe points out that there is also one daughter, who is abroad. She met with an accident and has some mobility issues and therefore unable to sign. Since she is

unable to sign the application, he would bring her as heir on record by making a separate application duly signed by her. Mr.Karhadkar, learned Counsel for the Respondents, has no objection if the two legal heirs of the deceased Applicant are brought on record.

3. Having heard the learned Counsel and having perused the application, the application is allowed in terms of Prayer Clauses (b) and (c).

4. Let amendment be carried out within a period of two weeks. Let the amended copy be served on the other side.

5. The Application stands disposed.

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6. List on 24th July 2023.

7. Ad-interim order, granted earlier, to continue till the next date.

(ABHAY AHUJA, J.)