

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Digitally
signed by
MEGHA
SHREEDHAR
PARAB
Date:
2023.10.16
13:41:32
+0530

INTERIM APPLICATION NO.2327 OF 2023
WITH
INTERIM APPLICATION NO.2328 OF 2023
IN
SECOND APPEAL NO.491 OF 2008
WITH
SECOND APPEAL NO.491 OF 2008

Mangilal Nayansukh Khinvasara,
since deceased through his legal
heirs-

1-a) Smt. Kamla Mangilal
Khivasara and Ors.

...Applicants

Versus

Smt. Jatanbai Champalal Bora
since deceased through her heirs
and Lrs.-

1-A) Inderchand Champalal Bora
and Ors.

...Respondents

....

Mr. R.D. Soni with Mr. V.R. Kasle for the Applicants/Appellants.

Mr. Malhar Pawar i/b Mr. Rajesh Katore for the Respondents.

Mr. Ashish Gabhale with Mr. Swaraj Patil i/b. M/s. Ajay Misar and Co.
for Respondent No.1B.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 10th OCTOBER, 2023.

P. C. :-

INTERIM APPLICATION NO.2327 OF 2023:-

1. By this application, the Applicants have sought to condone
the delay of 59 days in bringing on record the legal representatives of

the deceased Appellant. Learned counsel for Respondents have no objection. The delay is condoned. Legal representatives of the deceased Appellant be brought on record. Cause title of the appeal be amended within one week.

2. The application stands disposed of.

INTERIM APPLICATION NO.2328 OF 2023:-

3. The Applicants have sought expeditious hearing of the second appeal.

4. The second appeal is of the year 2008. Considering this fact as well as the grounds stated in the application, the application is allowed.

5. The application stands disposed of.

SECOND APPEAL NO.491 OF 2008:-

6. Second appeal be listed on final hearing board in the week commencing from **04/12/2023**.

(SMT. ANUJA PRABHUDESSAI, J.)