

Dusane

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

**INTERIM APPLICATION NO. 380 OF 2023
IN
SECOND APPEAL NO.691 OF 2019
WITH
CIVIL APPLICATION NO. 1462 OF 2019
WITH
CIVIL APPLICATION NO. 1463 OF 2019**

BHALCHANDRA
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Shri. Savaliram Dada Ahire ...Applicant

V/s.

Bhaga Rama Kedare & Ors. ...Respondents

Mr. Nitin Muley for Applicant

Mr. Sarfaraj Shaikh i/by Mr. Sachin Gite for
Respondent Nos. 1 to 5.

**CORAM: MADHAV J. JAMDAR, J.
DATE: 17th JANUARY, 2023**

P.C.:

1. Heard Mr. Muley, learned Counsel appearing for the Applicant and Mr. Shaikh, learned Counsel appearing for the Respondents.

2. The Interim Application is taken out for bringing on record legal heirs of deceased Respondent no.1, who passed away on 25th April 2021.

- 3.** The Interim Application is taken out on 18th August 2022. Due to Covid pandemic, the Supreme Court has suspended the limitation period from 15th March 2020 till 28th February 2022. Even considering the said period, there is some delay in filing the Interim Application.
- 4.** Learned Counsel appearing for the Respondents strongly opposes the Interim Application, however, for the reasons set out in the Interim Application, the same is allowed in terms of prayer clauses (a), (b) and (c).
- 5.** Amendment be carried out within a period of three weeks from today.
- 6.** The Interim Application is allowed in above terms with no order as to costs.
- 7.** Second Appeal be listed on **7th February, 2023.**

(MADHAV J. JAMDAR, J.)