

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 17308 OF 2023
IN
FIRST APPEAL NO.1393 OF 2009**

Milind Laxman Bhandare
(Since deceased through legal heirs)
1A) Suman Milind Bhandare and ors.

....Applicants

Versus

Munjunath Shivaji Patil and anr.

....Respondents

Mr. V. B. Rajure, Advocate for the Applicants.

Ms. Poonam Mital, Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 28th NOVEMBER, 2023.

P.C. :

1. This application is for carrying out amendment.

Learned counsel for the applicants submitted that when this Court had disposed of the appeal filed by the appellants by an order dated 13th April 2023, learned counsel for the applicants was not aware about the death of appellant No.1. Hence, he could not submit to this Court about the death of appellant No.1. After passing of the order by this Court, when learned counsel for applicants informed the order passed by this Court, appellant No.2 informed him that appellant No.1 expired on 8th March, 2021. Hence, requested to allow the application.

2. Learned counsel for respondent No.2 objected to allow the application.

3. Considering the submissions of both learned counsel, application is allowed in terms of prayer clauses (a), (b) and (c) and disposed off.
4. Amendment be carried out within two weeks.

(SHIVKUMAR DIGE, J.)