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

**INTERIM APPLICATION NO. 4218 OF 2023
IN
SECOND APPEAL NO.439 OF 2019**

Mahabubi Abbas Naikwadi & Ors. ...Applicants
Versus
Shahajadbi Kamalso Kandekari & Ors. ...Respondents

Ms. Shalu Tanwar, i/b. Mr. Bhushan Walimbe, for the Applicants.

Mr. Nagesh Y. Chavan, for Respondent No.1.

**CORAM : MADHAV J. JAMDAR, J.
DATED : 24th JULY 2023**

P.C. :

1. Heard Ms. Shalu Tanwar, learned counsel appearing for the Applicants and Mr. Nagesh Chavan, learned counsel appearing for Respondent No.1.
2. This Interim Application is taken out for bringing on record the legal heirs of deceased Respondent No.3. Deceased Respondent No.3 passed away on 3rd December 2021 and the application has been filed on 25th November 2022. Due to COVID-19 pandemic, the Supreme

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Court has suspended the limitation period from 15th March 2020 till 28th February 2022, still there is delay in filing the application.

3. Mr. Nagesh Chavan, learned counsel appearing for Respondent No.1 strongly opposes the application.

4. However, for the reasons set out in the Interim Application, the same is allowed in terms of prayer clauses (a) and (b).

5. Amendment be carried out within a period of 14 days from today.

6. The Interim Application is disposed of in above terms with no order as to costs.

[MADHAV J. JAMDAR, J.]