

Arjun

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

**CIVIL APPLICATION NO.2072 OF 2015
IN
SECOND APPEAL NO.675 OF 2014**

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Smt. Kumudini Ganesh Datar ...Applicants
Since deceased through her legal heirs
1/A. Vidyabhushan V. Vaidya & Ors.
V/s.

Bhagirathi Mahadev Golambade & Ors. ...Respondents

Mr. Yash Dewal h/f S. S. Kanetkar, for the
Appellants/Applicants.

Mr. Arya Sapre i/b Mr. Harshad Bhadbhade, for
Respondent Nos. 1, 5A, 5B & 5C.

Ms. Shraddha Pawar i/b Dilip Bodake, for Respondent
No.8.

**CORAM : MADHAV J. JAMDAR, J.
DATE : 2nd JANUARY, 2023**

P.C.:

1. This Civil Application is taken out for bringing on
record legal heirs of deceased Respondent No.5.

2. The Respondent No. 5 passed away on 9th May, 2009
during the pendency of the Appeal before the First Appellate
Court.

3. The Civil Application is allowed in terms of prayer

clause (a) subject to the objection of the Respondents regarding abatement of the Appeal before the First Appellate Court and the effect of the same on the decree.

4. The Civil Application is disposed of subject to above.

(MADHAV J. JAMDAR, J.)