

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION NO.2378 OF 2023
IN
SUIT NO.254 OF 2008

Atul Prabhakar Korgaonkar ... Applicant / Plaintiff 1(a)

In the matter of:

Sindhu P. Korgaonkar and others ... Plaintiffs

Vs.

Vilas Gajanan Mhatre and others ... Defendants

Mr. Rakesh Pandey i/b. Mr. Yogesh Palve for Applicant / Plaintiff 1(a).

Ms. Vaishali Ugale i/b. Mr. V. Y. Sanglikar for Defendant Nos.2, 3, 4(a) to 4(c).

Ms. Savina R. Crasto for Defendant Nos.6-8, 10(1), 10(b), 12(a) to 12(c), 13(a) to 13(c), 14, 15(b) to 15(d).

Mr. Tushar R. M. i/b. Mr. Vipinchandra Kasle for Defendant No.16(d).

CORAM : MANISH PITALE, J.

DATE : SEPTEMBER 21, 2023

P.C. :

By this application, the plaintiffs are seeking to bring on record legal representatives of plaintiff No.2(c), who expired on 02.05.2023. Copy of the death certificate is placed on record. It is stated in the application that plaintiff No.2(c) is survived by one legal heir, details of whom are given in Schedule A to the application. It is submitted that in that light, the application may be allowed and permission may be granted to amend the plaint to add the name of the legal heir of original plaintiff No.2(c) and to insert the words 'since deceased' after the name of the original plaintiff No.2(c).

2. Application is moved within time and a copy of the death certificate is already on record.

3. In the interest of justice, the application is allowed in terms of prayer clause (a), which reads as follows:-

“a. That this Hon’ble Court may be pleased to allow the Application to carry out amendments in the cause title of the present Suit as per Schedule A annexed herewith, in the above referred proceedings.”

4. Amendments be carried out within three weeks from today. Re-verification is dispensed with.

(MANISH PITALE, J.)

Minal Parab