

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

**SECOND APPEAL NO. 1329 OF 2005  
WITH  
CIVIL APPLICATION NO. 638 OF 2017  
WITH  
CIVIL APPLICATION NO. 1381 OF 2018  
IN  
SECOND APPEAL NO. 1329 OF 2005**

Yadu Bala Kapale ..Appellant  
Vs.  
Mahadeo Bala Kapale  
(Since Deceased) through LR.s. and Ors. ..Respondents

**WITH  
INTERIM APPLICATION NO. 12722 OF 2023  
IN  
SECOND APPEAL NO. 1329 OF 2005**

Shri. Suresh Yadu Kapade ...Applicant

**In the matter between**

Yadu Bala Kapale ..Appellant  
Vs.  
Mahadeo Bala Kapale  
(Since Deceased) through LR.s. and Ors. ..Respondents

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Mr. Sandeep Patade i/b. K. P. Shah, for the Applicant.  
Ms. Manasi Pawar i/b. Mr. Shivaji Masal, for the Respondent  
Nos.3, 5 and 23.  
Mr. Graham Francis i/b. V. S. Talkute, for the Respondent No.1.

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**CORAM : R. N. LADDHA, J.**  
**DATE : 11 MARCH 2024**

**P.C.**

**INTERIM APPLICATION NO. 12722 OF 2023**

. Heard.

2. This is an application for bringing the legal heirs of deceased sole appellant Yadu Bala Kapale on record by condoning the delay of 62 days in filing the application.

3. For the reasons stated in the application and in the interest of justice, the delay stands condoned and the application is allowed.

4. Necessary amendment to be carried out within two weeks from today.

5. Interim application No.12722/2023 stands disposed of accordingly.

**CIVIL APPLICATION NO. 1381 OF 2018**

. Heard.

2. This is an application for bringing the legal heirs of deceased respondent No.1 Mahadev Bala Kapale on record.

3. For the reasons stated in the application and in the interest of justice, the application is allowed.
4. Necessary amendment to be carried out within two weeks from today.
5. Civil Application No.1381/2018 stands disposed of accordingly.

**R. N. LADDHA, J.**