

MJ Jadhav

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 849 OF 2022
WITH
INTERIM APPLICATION NO. 30624 OF 2022
WITH
INTERIM APPLICATION NO. 12006 OF 2024
IN
SECOND APPEAL NO. 849 OF 2022**

Ramchandra Maruti Kadam and anr. ... Appellants

vs.

Santosh Bhagoji Navgare (Decd. Thr. Lrs) ... Respondents
Pooja Santosh Navgare and ors.

Mr. Yash Dewal i/b S. S. Kanetkar for the Appellants.

Ms. Padma Chinta i/b Harshad Bhadbhade for Respondent Nos. 4
and 5.

CORAM : GAURI GODSE, J.

DATED : 27th AUGUST 2024

ORDER:

INTERIM APPLICATION NO. 12006 OF 2024 :

1. This application is for leave to carry out amendment to add name of the legal heir of the deceased- respondent no.5 as stated in the schedule of amendment annexed to the application.

2. Learned counsel for the applicants submits that the heirs and

legal representatives of deceased- respondent no.5 were brought on record in the second appeal. However, the appellants learnt that there is one more heir and legal representatives of deceased- respondent no.5. Hence, this application.

3. Learned counsel for the applicant submits that he needs to amend to correct the spelling of surname of respondent no.3 as per the cause title of the first appellate Court. Leave granted. Amendment to be carried out within three weeks from today.

4. Since heirs and legal representatives of respondent no.5 are already on record, this application can be allowed.

5. For the reasons stated in the application, delay if any, is condoned and the application is allowed in terms of prayer clause (b). Amendment to be carried out within three weeks.

6. Learned counsel for the respondent nos. 4 and 5 submits that these respondents have also filed an appeal challenging the impugned judgment. She submits that the said appeal was dismissed for non removal of office objections.

7. However, an application for restoration of the appeal is already filed, which is due on 13th September 2024. List the present second appeal on 13th September 2024.

8. Interim Application No. 7967 of 2024 in Second Appeal (st)
No. 28025 of 2022 also be heard alongwith present second appeal
on the next date.

(GAURI GODSE, J.)