

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 18340 OF 2023
IN
FIRST APPEAL (ST.)NO.30060 OF 2018

Mr. Vikrant H. Bhalani .. Applicant.
v/s.
Smt. Madhui M. Bhalani
(since deceased) through LR
& Others .. Respondents.

Ms. Hemangi Pathare, for the Applicant.
Mr. Sujeet Burgade, for Respondent Nos. 2 & 3.
Adv. Sharad Bhosale, for Respondent No.6 (through VC)

CORAM: FIRDOSH P POONIWALLA,J.
DATE : 21st NOVEMBER, 2024.

PC:-

This Interim Application has been filed for bringing on record the legal heirs and representatives of Respondent No.5 who passed away on 30th October, 2017 and for condonation of delay in filing this Application.

2 It is the case of the Appellant that, although Respondent No.5 passed away on 30th October, 2017, the Applicant came to know about the passing away of Respondent No.5 only in the month of October, 2023, and, thereafter, immediately, on 13th October, 2023, the present Application has been filed.

3 In these circumstances, the Appellant prays for condonation of delay and also for an order to bring on record the legal heirs of Respondent No.5.

4 I am satisfied that, in light of what is stated in the Interim Application, the delay in filing the present Interim Application needs to be condoned and the legal heirs of Respondent No.5 should be allowed to be brought on record.

5 Interim Application is allowed in terms of prayer clauses (a) and (b) thereof which read as under:-

“(a) That this Hon’ble High Court be pleased to condone the delay of 6 years in filing the present Interim Application;

(b) That this Hon’ble High Court be pleased to allow the present Interim Application of the Applicant for bringing on record the heir and legal representative of deceased Respondent No.5 Sudha Indubhai Goda and to allow the Applicant to carry out the necessary amendment in the First Appeal (Stamp) No.30060 of 2018 as per the schedule.”

6 Amendment to be carried out within a period of two weeks from today and the amended copy to be served on the Respondents.

(FIRDOSH P. POONIWALLA,J.)