

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

**INTERIM APPLICATION NO.17782 OF 2022
IN
FIRST APPEAL NO.813 OF 2019
WITH
INTERIM APPLICATION NO.17783 OF 2022**

Mr. Manoj Kiranchand Sanghavi & Ors. ..Applicants

Versus

Mr. Rushab Lalchand Nahar & Ors. ..Respondents

Mr. Shailendra S. Kanetkar, for the Applicants.

Ms. Mangal Bhandari i/by Pranjali Bhandari, for Respondent Nos.1 to 11.

Mr. Nachiket Khaladkar, for Respondent Nos.13a to 13c in IA/17782/2022.

CORAM : KISHORE C. SANT, J.

DATE : 12th APRIL, 2024

PC.

1. Learned advocate for the Applicants files on record affidavit of service of notice on Respondent Nos.12A and 12B as per order dated 3rd January, 2024.

2. Respondent Nos.12A and 12B are treated as served.

3. In spite of service none appears.

4. The proposed Respondent Nos.13a to 13c are served.

They have also filed reply.

5. This Application is filed for bringing on record legal heirs of deceased Respondent No.13, namely Mr. Ramesh Sharadchandra Puntambekar. There is delay of 128 days caused in filing this Application.

6. Learned advocate for the proposed Respondents opposes the Application stating that they have not received any estate from Respondent No.13 and therefore they cannot be said to be the legal representatives.

7. This question will arise at the most at the time of decision of the Appeal. As on today, this Court has only to see that they are wife and sons of deceased Respondent No.13 and they are added in that capacity.

8. For the reasons stated in the Application, same is allowed. Delay stands condoned.

9. Necessary amendment in the cause-title of the Appeal and Applications be carried out within two weeks from today.

10. The Application stands disposed of.

11. Learned advocate for Respondent Nos.1 to 11 intends to file an application for bringing on record subsequent events. Today,

he orally submits that though there was interim relief granted by this Court by order dated 4th September, 2019, directing parties to maintain status-quo, now a property is put to auction by PNB Housing Finance Ltd.

12. Such Application be filed before next date.
13. Stand over to 26th April, 2024.
14. Interim order to continue till the next date.

[KISHORE C. SANT, J.]