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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

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INTERIM APPLICATION NO.1987 OF 2024

IN

CIVIL REVISION APPLICATION NO.832 OF 2012

Mangala M. Parkar, since deceased
through Her L.Rs. - Subhash M. Parkar & Ors. ..Applicants

V/s.

Kamlakar D. Patil ..Respondent

Mr.Hira Gummala for the Applicants.

Mr.Subhash Parkar, Applicant No.1(a) present in Court.

Ms.Richa Singh for the Respondent.

CORAM : RAJESH S. PATIL, J.

DATE : 26TH FEBRUARY, 2024.

P.C. :-

1. Mr.Hira Gummala for the Applicants seeks liberty to amend the prayer clause by adding prayer clause of restoration of the Civil Revision Application. The Civil Revision Application was dismissed pursuant to the conditional order dated 15 June 2018.

2. Liberty as prayer is granted. The amendment to be carried out forthwith.

3. This Interim Application is filed for restoration and also to bring on record the proposed legal heirs of the deceased Applicant on record. There is delay in filing this Interim Application.

4. Ms.Richa Singh appearing for the Respondent submits that there is delay in filing this Interim Application to bring on record the proposed legal heirs of the Applicant. She submits that before the Executing Court, the legal heirs are already brought on record. However, in the present matter, the Applicant has purposely not brought on record the legal heirs. Therefore, she submits that cost should be imposed on the Applicant.

5. Heard. I have gone through the contents of the Interim Application. Case is made out to allow this Interim Application. The Interim Application is allowed in terms of prayer clauses (a), (b) and (c). The amendment to be carried out forthwith.

6. The conditional order dated 15 June 2018 of dismissing the Civil Revision Application is hereby set aside. The

Civil Revision Application is taken back on record and all interim orders passed in the Civil Revision Application are restored back to file.

7. The Interim Application is accordingly disposed of.
8. The Civil Revision Application to come up on board for hearing and final disposal as per its turn.

(RAJESH S. PATIL, J.)