

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

**INTERIM APPLICATION NO. 291 OF 2023
IN
SECOND APPEAL NO. 270 OF 2009**

Taramanna Basappa Bhirde
(since deceased through LRs)
Smt. Gangubai Taramanna Bhirde & Ors. ... Applicants
Versus
Tamanna Daryappa Wadda
(since deceased through LRs)
Mahadeo Tamanna Wadda & Ors. ... Respondents

**WITH
CIVIL APPLICATION NO. 15 OF 2020
(NOT ON BOARD. TAKEN ON BOARD.)
AND
CIVIL APPLICATION NO. 16 OF 2020
(NOT ON BOARD. TAKEN ON BOARD.)
AND
CIVIL APPLICATION NO. 18 OF 2020
(NOT ON BOARD. TAKEN ON BOARD.)**

**IN
SECOND APPEAL NO. 270 OF 2009
WITH
SECOND APPEAL NO. 270 OF 2009**

Tamanna Daryappa Wadda
(since deceased through LRs)
Mahadeo Tamanna Wadda & Ors. ... Applicants
Versus

Taramanna Basappa Bhirde
(since deceased through LRs)
Smt. Gangubai Taramanna Bhirde & Ors. ... Respondents

Mr. Tejpal S. Ingale for the Applicant in IA/291/202023 and for
Respondents in Civil Applications.

Corrected vide speaking to minutes order dt. 31/1/2024

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Ms. Priya Patil i/by S. G. Deshmukh for the Respondents in IA/291/2023 and for Applicants in Civil Applications.

CORAM: R. N. LADDHA, J.

DATE : 19 JANUARY 2024

P.C. :

ORDER IN INTERIM APPLICATION NO. 291 OF 2023 :

. This application is filed for fixing the early date for hearing of the Second Appeal. The Appeal is pending since 2009. For the reasons stated in this application, the Interim Application is allowed in terms of prayer clauses (a).

2. Place the Second Appeal on final hearing board from the week commencing from 4 March 2024.

ORDER IN CIVIL APPLICATION NO. 15 OF 2020 :

3. Not on board. Upon mentioning, taken on board.

4. This is an application for bringing the legal heirs of respondent No.5 on record and to condone the delay in filing the present application. For the reasons stated in the application, this Civil Application is allowed in terms of prayer clauses (a) and (c).

5. Leave to amend. Necessary amendments be carried out in the Second Appeal within a period of two weeks from today.

ORDER IN CIVIL APPLICATION NO. 16 OF 2020 :

6. Not on board. Upon mentioning, taken on board.
7. This is an application for bringing the legal heirs of appellant No.1/6 on record and to condone the delay in filing the present application. For the reasons stated in the application, this Civil Application is allowed in terms of prayer clauses (a) and (c).
8. Leave to amend. Necessary amendments be carried out in the Second Appeal within a period of two weeks from today.

ORDER IN CIVIL APPLICATION NO. 18 OF 2020 :

9. Not on board. Upon mentioning, taken on board.
10. This is an application for bringing the legal heirs of respondent No.3/1 on record and to condone the delay in filing the present application. For the reasons stated in the application, this Civil Application is allowed in terms of prayer clauses (a) and (c).
11. Leave to amend. Necessary amendments be carried out in the Second Appeal within a period of two weeks from today.

ORDER IN SECOND APPEAL NO. 270 OF 2009 :

12. Issue notice to the newly added respondents, returnable on 20 February 2024.

13. Place the Second Appeal on final hearing board from the week commencing from 4 March 2024.

R. N. LADDHA, J.

Lata Panjwani, P.S.