

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

**INTERIM APPLICATION NO. 2191 OF 2023
IN
SECOND APPEAL NO. 974 OF 2004**

Vijay Waman Borkar ... Applicant
Versus
Chandrakant Nivrutti Borkar & Ors. ... Respondents

Ms. Gunjan Shah i/by P. B. Shah for the Applicant.
Ms. Shraddha Vavhal i/by Hassnain Kaazi Sayyed for Respondent
No.1.

CORAM: R. N. LADDHA, J.

DATE : 12 JANUARY 2024

P.C. :-

. This is an application for bringing the legal heirs of respondent No.1 on record and to condone the delay in filing the present application. The learned counsel appearing on behalf of the proposed respondents has no objection to condone the delay.

2. In view of the no objection and for the reasons stated in the application, the Interim Application is allowed in terms of prayer clauses (a) and (b).

3. Leave to amend so as to bring the legal heirs of respondent No.1 on record. Amendment be carried out in the Second Appeal within a period of two weeks from today.

4. If the amendment is carried out, issue notice to the newly added respondents, returnable on **20 February 2024**.
5. Interim Application stands disposed of accordingly.

R. N. LADDHA, J.