

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 217 OF 2024
IN
CIVIL REVISION APPLICATION NO. 1125 OF 2012

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Shri Mohan Shankar Varde ...Applicant
Versus
Shri Sharad Baburao Isnagar And Others ...Respondents

Ms. Prajakta Shringarpure a/w Priyanka Rammurthy i/b Bina Pai for
the Applicant.
None for the Respondents.

CORAM : M.M.SATHAYE, J.
DATE : 12th FEBRUARY 2024

PC. :

1. Heard learned counsel for the Applicant. None for the Respondents to oppose.
2. This is an application for adding legal heir of original Petitioner No. 4 (Kusum Madhav Badami) on record, who has expired on 05.07.2023. The present application is filed on 03.10.2023. Office note shows that the application is filed in time.
3. It is specifically contended that Mrs. Aarti Chandna is the daughter and only legal heir and representative of deceased Petitioner No. 4. It is further specifically stated that she is also pressing for receiving possession of the suit premises, however, due

to her personal commitment, she is unable to attend the court for joining as Applicant/Petitioner and therefore, prayer for adding her as Respondent No.10 is made. In essence, this is an application for bringing legal heir of Petitioner No. 4 on record. Proposed legal heir appears to be presently residing in USA.

4. Considering that the application is filed in time and further considering the aforesaid averments, the proposed legal heir can be brought on record, presently as Respondent No.10, by necessary amendment.

5. Hence, the application is allowed in terms of prayer clause (a). The Applicant is permitted to add Mrs. Aarti Chandna as Respondent No.10 presently. Liberty to said legal heir to seek transposition at the appropriate time. Necessary amendment to be carried out within 2 weeks from today. Amended copy be served upon the Respondents simultaneously.

6. All the concerned to act on duly authenticated/digitally signed copy of this order.

[M.M.SATHAYE,J.]