



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.122 OF 2024
IN
FIRST APPEAL NO.27 OF 2024

Vivek Chimanrao Kate

..Applicant

IN THE MATTER BETWEEN :-

Suresh Sayajirao Kate & Ors.

..Appellants

Vs.

State of Maharashtra & Anr.

..Respondents

Mr. Ashwin Pimpale i/by. M/s. SSB Legal and Advisory for the Applicant.
Mr. A. R. Patel, Addl. G. P. for Respondent No.1 (State)
Mr. Nitesh Rangari i/by. Mr. Rohit Sakhadeo for Respondent No.2
(PCMC).

CORAM : A. S. CHANDURKAR &
JITENDRA JAIN, JJ.

DATE : 5th MARCH 2024.

P.C.:

1. By this application, it is prayed that the legal heirs of Appellant No.5(a) be permitted to be brought on record. The said Appellant No.5(a) expired on 25th January 2020 which is after the Reference Court decided the proceedings.
2. The learned counsel appearing for non-applicant No.2 opposes the application on the ground of delay.

3. Considering the fact that the estate of deceased was represented by other legal heirs, the delay in bringing on record the legal representative is condoned. The legal heirs be brought on record within a period of two weeks from today.

4. The Interim Application is allowed.

(JITENDRA JAIN, J.)

(A. S. CHANDURKAR, J.)

(This order is modified as per speaking order dated 8th March 2024.)