

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 38 OF 2024
IN
FIRST APPEAL NO. 402 OF 2006

Dhitendra Himmatlal Mehta ...Applicant

IN THE MATTER BETWEEN :

Himmatlal Vrajlal Mehta
(Deleted Since Deceased Through Lrs.
Vijyaben Himmatlal Mehta and Ors. ...Appellants

Versus

Shri. Pandarinath Narayan Thakur
(deleted Since Deceased) through
Lrs. Mangala @ Leela P. Thakur And Ors. ...Respondents

WITH
CIVIL APPLICATION NO. 40 OF 2024
IN
FIRST APPEAL NO. 402 OF 2006

Dhitendra Himmatlal Mehta ...Applicant

IN THE MATTER BETWEEN :

Himmatlal Vrajlal Mehta
(Deleted Since Deceased Through Lrs.
Vijyaben Himmatlal Mehta and Ors. ...Appellants

Versus

Shri. Pandarinath Narayan Thakur
(deleted Since Deceased) through
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WITH
CIVIL APPLICATION NO. 39 OF 2024
IN
FIRST APPEAL NO. 402 OF 2006

Dhitendra Himmatlal Mehta ...Applicant

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Lrs. Mangala @ Leela P. Thakur And Ors. ...Respondents

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Mr. Yazad Udwardia i/by Mr. Sanjay Maji i/by D.M. Legal Associates,
for the Applicant/Appellants

Mr. Abhishek Patil a/w Mr. Sandeep Desai for Respondent Nos.1a to
1e in C.A. Nos.38/2024, 39/2024, 40/2024 & F.A. No.402/2006.

A.G.P for the Respondent – State.

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CORAM : N.R. BORKAR, J.
DATE : 8th AUGUST, 2024

P.C.:

CIVIL APPLICATION NO. 38 OF 2024 :

1. For the reasons stated in the application, delay in filing the application for bringing the legal representatives of Appellant No.1(d) is condoned. Abatement, if any is set aside. Permission is granted to delete Appellant Nos.1(a). Permission is also granted to bring on record legal representatives of appellant No.1(d).

CIVIL APPLICATION NO. 39 OF 2024 :

2. For the reasons stated in the application, delay if any, is condoned. Permission is granted to the appellant to delete Respondent Nos.1(a) and 5.

CIVIL APPLICATION NO. 40 OF 2024 :

3. For the reasons stated in the application, delay in filing application for bringing legal representatives of Appellant No.1(e) is condoned. Abatement is set aside. Permission is granted to bring on record the legal representatives of the Appellant No.1(e).

4. Necessary amendments shall be carried out within a period of four weeks from today.

5. Permission is granted to the respondents to carry out corresponding amendment in Cross Objection (St.) No.8188 of 2006.

(N.R. BORKAR, J.)