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

**SECOND APPEAL ST NO. 4667 OF 2023
WITH
INTERIM APPLICATION NO. 8251 OF 2024
IN
SECOND APPEAL ST NO. 4667 OF 2023
WITH
INTERIM APPLICATION NO. 10560 OF 2024
IN
SECOND APPEAL ST NO. 4667 OF 2023**

Dhruva Wollen Mills Pvt Ltd

.....Appellant

Vs.

Bijono Dharendra Talukdar

.....Respondent

Mr. Mayur Khandeparkar a/w Mr. Abir Patel, Ms. Lavina Bhargava i/b
Wadia Ghandy & Co. for appellant
Mr. Vikramjit Garewal i/b Mr. Ruturaj V. Bankar for respondents

**CORAM : GAURI GODSE, J.
DATE : 26th JULY 2024**

ORDER:

INTERIM APPLICATION NO. 10560 OF 2024:

1. Due to the technical error of connectivity, I was unable to access the soft copy. Hard copy tendered by the learned counsel for the appellant is taken on record.

2. This application is for seeking leave to amend the cause title of the second appeal substituting the name of original appellant with the name 'Runwal Developers Private Limited'. The reasons for the amendment are explained in the application.

3. Learned counsel for respondents submits that respondent no. 1 has expired on 13th September 2023 during the pendency of the second appeal. He submits that respondent no. 2 is the heir and legal representative of respondent no. 1. Hence, he has no objection for permitting the applicant to delete respondent no. 1 and also permit the amendment as prayed in the schedule of amendment of the application.

4. Hence, applicants are permitted to delete respondent no. 1. For the reasons stated in the application, applicants are permitted to carry out amendment to the second appeal as per proposed amendment in schedule 'C'. Amendment to be carried out in the second appeal and applications within three weeks from today.

5. Application is disposed of in above terms.

INTERIM APPLICATION NO. 8251 OF 2024:

6. This application is for condonation of delay of two days in filing the second appeal.
7. Reasons for the delay are explained in the application and the same are acceptable.
8. For the reasons stated in the application, delay is condoned and the application is allowed in terms of prayer clause (a).

SECOND APPEAL ST NO. 4667 OF 2023:

9. Learned counsel for respondent submits that he has given a proposal for one time settlement.
10. Learned counsel for the appellant seeks time to take instructions with regard to one time settlement.
11. List the second appeal under the caption "For Settlement" on 16th August 2024.

[GAURI GODSE, J.]