



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL FIRST APPEAL NO. 755 OF 1988

Shri Prahladsingh Bachusingh
and Anr.

...Appellants

vs.

Smt. Bhuridevi Chandmal Lodha
and Others

...Respondents

ALONGWITH
CIVIL APPLICATION NO. 2506 OF 2012
IN
CIVIL FIRST APPEAL NO. 755 OF 1988

1 a) Dharamvir (Orig Appellant
No. 1) S-O Shri Prahladsingh
And Another

...Applicants

vs.

Smt. Bhuridevi Chandmal Lodha
and Others

...Respondents

ALONGWITH
CIVIL APPLICATION NO. 4263 OF 2013
IN
CIVIL FIRST APPEAL NO. 755 OF 1988

Smt. Anarkali Wd-O. Raghurvir
Singh

...Applicants

vs.

Smt. Bhuridevi Chandmal Lodha
and Others

...Respondents

ALONGWITH
CIVIL APPLICATION NO. 3125 OF 2016
IN

CIVIL FIRST APPEAL NO. 755 OF 1988

Shri. Girish Chandmal Lodha ...Applicant

vs.

Shri. Prahaldsingh S-O
Bachu Singh (since deceased) 1-A
Shri Dharamvir s/o
Prahlad Singh and Ors. ...Respondents

**ALONGWITH
CIVIL APPLICATION NO. 634 OF 2013
IN
CIVIL FIRST APPEAL NO. 755 OF 1988**

Shri. Girish Chandmal Lodha
(Intervenor) ...Applicant

vs.

Smt. Bhuridevi Chandmal Lodha
and Others ...Respondents

**ALONGWITH
CIVIL APPLICATION NO. 2509 OF 2012
IN
CIVIL FIRST APPEAL NO. 755 OF 1988**

1a) Dharamvir S/O (Orig Appellant
No 1. Shri Prahlad Singh And
Another ...Applicant

vs.

Smt. Bhuridevi Chandmal Lodha
and Others ...Respondents

**ALONGWITH
INTERIM APPLICATION NO. 7993 OF 2024
IN
CIVIL FIRST APPEAL NO. 755 OF 1988**

Dharampal S-O. Pralhad Singh
and Ors.

...Applicants

vs.

Smt. Bhuridevi Chandmal Lodha
and Others

...Respondents

**ALONGWITH
CIVIL APPLICATION NO. 3199 OF 2019
IN
CIVIL FIRST APPEAL NO. 755 OF 1988**

Dharampal S-O. Pralhad Singh
and Anr.

...Applicants

vs.

Smt. Bhuridevi Chandmal Lodha
and Others

...Respondents

**ALONGWITH
CIVIL APPLICATION NO. 4057 OF 2018
IN
CIVIL FIRST APPEAL NO. 755 OF 1988**

Mr. Phool Singh S-O. Surajpal
Singh

...Applicant

vs.

Pralhadsingh S-O Bachusing
(Deceased) Through Lrs.
Dharmvir s/o Pralhad Singh and Ors.

...Respondents

**ALONGWITH
INTERIM APPLICATION NO. 1296 OF 2022
IN
CIVIL FIRST APPEAL NO. 755 OF 1988**

Pralhadsingh S-O. B. Singh
(Deceased) Thr. LRRS.
Shri Dharmvir S-O Prahlad Singh

...Applicant

vs.
Smt. Bhuridevi Chandmal Lodha
and Others

...Respondents

**ALONGWITH
CIVIL APPLICATION NO. 3126 OF 2016
IN
CIVIL FIRST APPEAL NO. 755 OF 1988**

Sitaram Enterprises And Anr

...Applicants

vs.
Smt. Bhuridevi Chandmal Lodha
and Others

...Respondents

Ms. Poonam Madhwani a/w Ms. Sneha Kudgaonkar i/by V.T. Lalia	Advocate for the Appellant in FA and Applicant CAF 2506 of 2012, CAF 4263 of 2013, CAF 2509 of 2012, IA 7993 of 2024, CAF 3199 of 2019, IA 1296 of 2022
Mr. Rajendra Mishra	Advocate for the Applicant in CAF 4057 of 2018
None for Applicant in CAF 634 of 2013 and CAF 3125 of 2016	

CORAM : S. M. MODAK, J.

DATE : 28th NOVEMBER 2024

P. C. :-

1. Heard learned Advocate for the Appellants.
2. Appellant No. 1- Prahladsingh since deceased was Defendant No. 1. Whereas present Respondent No. 1- Bhuridevi was the Plaintiff. The suit was filed by Bhuridevi about declaration of ownership about

certain properties. It was decreed. That is why Defendant No. 1-Prahladsingh has filed this appeal. Even Bhuridevi has expired. In respect of continuation of this appeal on behalf of Bhuridevi, there are two civil applications. They are as follows:-

a. Civil application No. 2506 of 2012 filed by the Appellants for bringing the Administrator in place of Bhuridevi because she is not survived by any legal representatives. That application is pending for hearing.

b. Civil Application No. 634 of 2013 was filed by one Girish Chandmal Lodha-Intervenor claiming to be a legal representative of deceased Bhuridevi. This Court directed the City Civil Court to conduct the inquiry about his claim. It was decided and held that Girish Lodha is not concerned to said Bhuridevi. **Yet this Court has to decide the said application.** There is Civil application No. 3125 of 2016 filed by Girish Chandmal Lodha complaining that City Civil Court has exceeded scope of the inquiry. This application is also pending. Both of them can be decided together.

3. There is one more Civil Application No. 4057 of 2018 filed by

one Mr. Phool Singh claiming right alongwith Pralhadsingh, that application is also pending.

4. **This appeal is listed after so longtime.** There are few other civil Applications.

5. On the next date, both the sides are directed to give details of those applications and the status, that is to say whether pleadings are over or not. Further direction can be given subsequently.

6. The name of the Respondent Nos. 2 to 4 are deleted as per order dated 30.07.1997. As on today, there are only names of Respondent Nos. 5 and 6 who are other heirs of Pralhadsingh. Both have expired and there are Civil applications filed for bringing their heirs on record. It is submitted that those legal representatives are also served.

7. Let Appellants to serve them again and file service affidavit on the next date.

8. Appellant to serve copy of this order on learned Advocate for the intervenor- Girish Chandmal Lodha.

9. Matter be kept on **02nd January 2025**.

[S. M. MODAK, J.]