



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.9700 OF 2024
IN
FIRST APPEAL NO.110 OF 2022

Ranjana Pandurang Bodas and Ors.	... Applicants.
<i>In the matter between:</i>	
Ranjana Pandurang Bodas and Ors.	... Appellants.
<u>Versus</u>	
Vinayak Mahadev Khadilkar and Ors.	... Respondents.

Mr. Shon D. Gadgil and Mr. Parag M. Tilak for the Applicants.
Mr. Om N. Latpate i/by Kuldeep U. Nikam, for the Respondent Nos.1, 2 and 4.
Mr. Rahul Soman, for Respondent Nos.5 to 9, 11 to 20, 22, 23, 26 to 36 and 40 to 41.

Coram : Sharmila U. Deshmukh, J.
Date : June 28, 2024

P. C. :

1. Interim Application has been preferred for bringing on record the legal heirs of the deceased-Respondent No.2. It is pleaded in the application that the Respondent No.2 expired on 3rd September, 2023, however, the Applicants were not given intimation about the death of the Respondent No.2. As the information was received in the month of October, 2023, an email was addressed to the Advocate for Respondent Nos.1, 2 and 4 requesting for details which was not supplied, and thereafter, the wife of the deceased-Respondent No.2 addressed letter dated 23rd November, 2023 stating that as the death

certificate is not available the same will be provided as and when received. It is further pleaded that the details were provided only in the first week of December, 2023 and therefore, after the receipt of the death certificate the present application has been filed and thus, there is no delay.

2. The office has raised an objection of delay as the death certificate gives the date of death on 3rd September, 2023. As no information was given to the learned counsel for the Applicants, the delay is required to be construed from the date of knowledge.

3. In view thereof, there is no delay. Interim Application stands allowed. Amendment to be carried without a period of two weeks from today.

[Sharmila U. Deshmukh, J.]