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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL (ST) NO. 13377 OF 2014
WITH
CIVIL APPLICATION NO. 852 OF 2015
WITH
CIVIL APPLICATION NO. 1397 OF 2014
WITH
CIVIL APPLICATION NO. 1396 OF 2014
WITH
INTERIM APPLICATION NO. 11930 OF 2024

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Garfield Johnson Carvalho and Others ... Appellants/Applicants
Vs.

Mrs. Mercy Andrews D'souza ... Respondents
(since deceased) through LRs

Mr. R. D. Suryawanshi for the Appellant.

Mr. Rohan Hule for Respondent Nos. 1A, 1C, 1D and 8.

Mr. Prathamesh Seth i/b. Mr. Joseph Fernandes for Respondent Nos.
4 to 7.

CORAM : GAURI GODSE, J.

DATE : 23rd AUGUST 2024

ORDER:

Interim Application No. 11930 of 2024

1. Issue notice to respondent no.1B returnable on 25th October

2024. In addition to court notice, learned Advocate for the applicant to serve respondent no. 1B by private service and file service affidavit before the next date. Learned Advocate who appears for respondent nos. 1A, 1C and 1D waives notice of the application.

2. Stand over to 25th October 2024.

Civil Application No. 852 of 2015

3. This application is for bringing on record heirs and legal representatives of deceased respondent no. 2 on record and for deletion of respondent no. 3.

4. Learned Advocate appearing for the heirs and legal representatives of deceased respondent no. 2 submit that respondent no. 2A has also expired, however heirs and legal representatives are on record in the Civil Application in a different capacity as respondent nos. 2B to 2F. Hence, learned counsel for the applicant seeks leave to delete respondent no. 2A. Leave granted. Amendment to be carried out within three weeks.

5. Learned counsel for the legal heirs seek time to file affidavit in reply. Affidavit in reply to be filed in the registry before the next date.

6. The applicant is permitted to delete respondent no. 3 from the title of all the applications and the Second Appeal. Amendment to be carried out within three weeks.
7. Stand over to 25th October 2024.

[GAURI GODSE, J.]