

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2579 OF 2018
IN
FIRST APPEAL (ST) NO. 7478 OF 2018

Irfan Faquih ...Applicant
Versus
P. J. Changani And Ors. ...Respondents

WITH
CIVIL APPLICATION NO. 2580 OF 2018
IN
FIRST APPEAL (ST) NO. 7478 OF 2018

Irfan Faquih ...Applicant
Versus
P. J. Changani And Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 13847 OF 2024
IN
FIRST APPEAL (ST) NO. 7478 OF 2018

Irfan Fakih (Dec) Thr. LRs. Rafid Irfan Fakih And Anr. ...Applicant
Versus
P. J. Changani And Ors. ...Respondents

Ms. Sayali Apte i/b. Ms. Aparna Murlidharan, for the Applicant.
Mr. Manee Vishwakarma a/w Ms. Pragati Jaiswal i/b. Nutan S. Moily for the
Respondent No.2.

CORAM : ADVAIT M. SETHNA, J.

DATE : 29th NOVEMBER 2024

P. C. :-

1. At the very outset, the parties point out that the Appellant has expired on 11 September 2021. Accordingly, there is Interim Application No.13847 of 2024

filed on 20 August 2024 on behalf of the Applicant to bring the legal heirs of the Appellant on record.

2. The learned Advocate for the Respondents, however, states that he does not have a copy of the said application, it has not been served upon him. The learned Advocate for the Appellant disputes this position. She fairly states that there is no affidavit of service in that regard a copy of which will be served to the Respondents. To enable the Respondents to deal with the above application, time for a period of four weeks is granted to the Respondents to file a suitable reply to the Interim Application No.13847 of 2024. On receipt of such reply, which shall be positively served within three weeks by the Respondents to the Applicant, the Applicant is at liberty to file rejoinder if the Applicant so desires.

3. List both the Interim Applications on **8 December 2024**.

4. Parties are directed to complete pleadings also in Interim Application No.2579 of 2018 filed by Applicant for condonation of delay before the adjourned date of hearing.

5. The learned Advocate for the Applicant assures that she would complete all procedures regarding service to the Respondents positively before the next date of hearing.

[ADVAIT M. SETHNA, J.]