

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

INTERIM APPLICATION NO.14432 OF 2024

IN

FIRST APPEAL NO.581 OF 2014

Bharat Ghanshyamlal Joshi .. Applicant

IN THE MATTER BETWEEN

Mrs. Sharadadevi Ramniranjan Saraf & Ors. .. Appellants

Versus

Ram Babu Chandrama Rai & Ors. .. Respondents

Ms. Priya Rombade i/b. Bharat Joshi for the Applicant.

Mr.Chandrakant Chavan for proposed Respondent No.4a & 4b.

CORAM: FIRDOSH P. POONIWALLA, J.

DATE : 28 NOVEMBER, 2024

P. C.

1. This interim application has been filed seeking amendment of the First Appeal to bring the legal heirs of Respondent No.4 on record. Prayers (a) to (c) of the Interim Application read as under:-

a) Abatement of first Appeal, be set aside.

b) The delay of 265 days, in filling this application be condoned

c) The Appellant be allowed to describe the name of the Respondent No.4 as deceased and substitute names it with of Proposed Respondent No. 1 and 2 as Respondent No.4(a) and 4(b) as legal representatives of

the Respondent No.4, from cause title of the Memorandum of Appeal and pending Interim Applications, if any pending.

2. I have perused the contents of the Interim Application. In my view, sufficient cause has been shown for granting the prayers made in the Interim Application.
3. Accordingly, Interim Application is allowed in terms of prayers (a) (b) and (c).
4. The amendment to be carried out within a period of two weeks from today and a copy of the amended First Appeal be served on the other parties.
5. Place the First Appeal for final hearing on 9th January 2025.

[FIRDOSH P. POONIWALLA, J.]