

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 237 OF 2024

Diwaliben B Rathod (Deceased since Died) M.B. ...Appellant
Rathod Through CoA Pankaj Mukund Rathod

Versus

Ranjan Suryaprakash Hansora Alias Rathod & Ors ...Respondents

WITH

INTERIM APPLICATION NO. 15710 OF 2024

IN

FIRST APPEAL NO. 237 OF 2024

WITH

INTERIM APPLICATION NO. 2003 OF 2024

IN

FIRST APPEAL NO. 237 OF 2024

Ms. Nayana Orak a/w Mohsin Panjwani for the Appellant.

CORAM: ARIF S. DOCTOR, J
DATED: 20th December 2024

PC:-

1. Learned Counsel for the Appellant undertakes to file Affidavit of Service.

2. It is informed that the Appellant has since passed away and thus the captioned Interim Application No.15710 of 2024 has been filed seeking condonation of delay of a period of 3 days and to bring on record the Applicants as Appellant Nos.1(a) and 1(b), who are legal heirs of the deceased Appellant.

3. The Respondents though served, have not appeared. In any view of the matter, the delay being negligible and the Interim Application only seeks impleadment, in my view must be allowed and is therefore allowed in terms of prayer clauses (a) and (b) which read thus:-

“a. This Hon’ble Court kindly be condone the delay of 3 days in filing the present Interim application in the interest of justice.

b. That this Hon’ble Court kindly be allow bring the applicants on the record as Appellant No. 1 (a) and 1 (b).”

4. Interim Application No.15710 of 2024 is accordingly disposed of.

5. List the matter on 31st January, 2025.

(ARIF S. DOCTOR, J)