



751.07fa etc

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

904 FIRST APPEAL NO. 751 OF 2007

JANABAI EKNATH MALPOTE AND ORS
VERSUS
KUNDANMAL LAKHMICHAND KOTECHEA AND ORS

**WITH
CIVIL APPLICATION NO. 16840 OF 2010
IN FA/1261/2006**

JANABAI EKNATH MALPOTE AND ORS
VERSUS
NEW INDIA ASSURANCE COMPANY LIMITED

**WITH
CIVIL APPLICATION NO. 12627 OF 2025
IN FA/1261/2006**

NEW INDIA ASSURANCE COMPANY LIMITED
VERSUS
JANABAI EKNATH MALPOTE AND ORS

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Mr R. B. Dhakane, Advocate h/f Mr M. A. Tandale, Advocate for
Appellants/applicants in CA/16840/2010

Mr S. S. Sarda, Advocate h/f Mr M. R. Deshmukh, Advocate for
Respondent No.3 and applicant in CA/12627/2025

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**CORAM : SUSHIL M. GHODESWAR, J.
DATE : 12th DECEMBER 2025**

P. C. :

Civil Application No.12627/2023 In First Appeal No.1261/2006

1. Heard.

(2)

2. This is an application for bringing respondent Nos.5A and 5B as legal heirs of deceased respondent No.5 on record. By condoning delay of 2614 days in preferring application.

3. For the reasons stated in the application, the same is allowed. Delay is condoned. Applicants are permitted to bring on record legal heirs of deceased respondent No.5.

4. Necessary amendment be carry out within one week.

First Appeal No.751/2007

5. Learned Advocate for the appellants states that service to respondents have been effected. He also places affidavit of service on record.

6. In view thereof, service to respondents is complete.

7. List the appeal on weekly board commencing from 12/01/2026.

[SUSHIL M. GHODESWAR, J.]

sjk