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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 309 OF 1993
WITH
INTERIM APPLICATION ST NO. 6665 OF 2022
INTERIM APPLICATION ST NO. 8813 OF 2022
INTERIM APPLICATION NO. 2321 OF 2020**

Sakharam Bala Ghade
(Decd.)Thr. LRs

.....Appellants

Vs.

Sulochana Dinkar Nikam and ors

.....Respondents

Mr. Graham Francis i/b Ms. Vishwanath Talkute Advocate for the
Appellants

Mr. Dhananjay Rananaware for the respondents

CORAM : GAURI GODSE, J.

DATE : 9th JULY 2025

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ORDER:

INTERIM APPLICATION ST NO. 8813 OF 2022:

1. This application is for bringing on record names of heirs and legal representatives of deceased respondent no. 1A. Interim Application No. 2321 of 2020 was filed for bringing on record name of respondent no. 1A as heir and legal representative of deceased respondent no. 1. Interim Application No. 2321 of 2020 was dismissed for non removal of office objections within the

conditional time granted by the learned Registrar (Judicial-II). Hence, the appellants have filed Interim Application Stamp No. 6665 of 2022 for restoration of Interim Application No. 2321 of 2020. The heirs and legal representatives of deceased respondent no. 1A are served as per office remark dated 8th July 2025 in Interim Application Stamp No. 8813 of 2022.

2. Hence, Interim Application Stamp No. 8813 of 2022 is allowed and the appellants are permitted to bring on record names of heirs and legal representatives of deceased respondent no. 1A in Interim Application Stamp No. 6665 of 2022.

INTERIM APPLICATION ST NO. 6665 OF 2022:

3. Since the heirs and legal representatives are served, Interim Application Stamp No. 6665 of 2022 is allowed and Interim Application No. 2321 of 2020 is restored.

INTERIM APPLICATION NO. 2321 OF 2020:

4. Since Interim Application No. 2321 of 2020 is restored, it is taken on board. Though served, none appears for heirs and legal representatives of deceased respondent no. 1A. Interim

Application No. 2321 of 2020 is therefore, allowed. Condonation of delay and abatement, if any, is set aside. The appellants are permitted to bring on record respondent no. 1A-i and 1A-ii as heirs and legal representatives of respondent no. 1 in the Second Appeal.

5. All the three applications are allowed in aforesaid terms. Amendment to be carried out within three weeks. After the amendment is carried out, office is directed to issue notice of Second Appeal to respondent nos. 1A-i and 1A-ii. Notice in the Second Appeal is made returnable on 2nd September 2025.

6. In addition to Court notice, learned advocate for the appellants shall serve the said added respondents by private notice and file affidavit of service before the next date.

7. Learned advocate for the appellants shall ensure that the copies are supplied and Court notice is issued by taking Hamdast.

[GAURI GODSE, J.]