

VRJ

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

**INTERIM APPLICATION NO.3288 OF 2019
IN
SECOND APPEAL NO.222 OF 2005**

VAIBHAV
RAMESH
JADHAV

Digitally signed by
VAIBHAV
RAMESH JADHAV
Date: 2025.11.12
16:01:50 +0530

Dattu Maruti Mali, Since Deceased,
Through His Legal Heirs:

1A. Shalan Dattatray Mali & Anr. ... Applicants

V/s.

Shankar Kondi Sutar, Since Deceased
Through His Legal Heirs & Ors.

... Respondents

**WITH
INTERIM APPLICATION NO.3287 OF 2019
IN
SECOND APPEAL NO.222 OF 2005
WITH
INTERIM APPLICATION NO.3289 OF 2019
WITH
INTERIM APPLICATION (ST.) NO.15590 OF 2024
WITH
INTERIM APPLICATION NO.3356 OF 2019
WITH
INTERIM APPLICATION NO.3288 OF 2019
WITH
INTERIM APPLICATION (ST.) NO.10820 OF 2024
IN
SECOND APPEAL NO.222 OF 2005**

Mr. Shivprasad Page for the applicants.

Siyal Magdum i/by Mr. Umesh Mankapure for
respondent No.2.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : NOVEMBER 11, 2025

P.C.:

INTERIM APPLICATION NO.3288 OF 2019

1. Heard learned advocates appearing for respective parties.
2. Present application is filed seeking to condone delay of 4352 days caused in filing present application for bringing heirs and legal representatives of deceased appellant-Dattu Maruti Mali.
3. The application is firmly opposed by learned advocate appearing for respondent. However, there is no contest to the averments in application.
4. Learned advocate appearing for applicants points out that appellant himself was looking to the litigation and his heirs and legal representatives were not aware of the same. Only after receiving information regarding execution of decree, they got knowledge and filed application. There appears to be substance in contention of the applicants.
5. In that view of the matter, interim application is allowed in terms of prayer clauses (b) and (c).
6. Necessary amendment to be carried out within a period of two weeks from today.

(S. G. CHAPALGAONKAR, J.)