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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 14043 OF 2024
IN
SECOND APPEAL NO. 789 OF 2004

Mubarak Ahmad NaikwadiApplicant

Vs.

Mirasaheb Ahmad Naikwadi and orsRespondents

WITH
INTERIM APPLICATION ST NO. 638 OF 2025
IN
SECOND APPEAL NO. 789 OF 2004

Mirasaheb Ahmad NaikwadiApplicant

Vs.

Mubarak Ahmad NaikwadiRespondent

Mr. Nikhil Pawar Advocate for the Applicant in IAST 638/2025 and for appellant in SA 789 of 2024

Mr. Ajit M. Savagave for the applicant in IA 14043/2024 and for respondent in SA 789/2024

Mr. Advocate for the Respondents

CORAM : GAURI GODSE, J.

DATE : 17th JANUARY 2025

ORDER:

INTERIM APPLICATION ST NO. 638 OF 2025:

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1. Not on board. Taken on board.
2. Learned counsel for the applicant submits that heirs and legal representatives of deceased respondent no. 6 are already on record in different capacity. Learned counsel for the applicant submits that necessary averment with regard to the same is made in paragraph 3 of the application.
3. In view of the reasons stated in paragraph 3 of the application, the applicant is permitted to delete respondent no. 6. Amendment to be carried out within two weeks.
4. In the present application, the applicant also prays to bring on record names of heirs and legal representatives of respondent no. 2. There is delay in making the said prayer.
5. Issue notice to respondent nos. 2B1 to 2B3, returnable on 28th March 2025.
6. In addition to Court notice, learned advocate for the applicant shall serve the said respondents by private notice and file affidavit of service before the next date.

INTERIM APPLICATION NO. 14043 OF 2024:

7. This application is for expediting the hearing of the second

appeal. Learned counsel for the applicant submits that he shall file private paper-book within six weeks from today.

8. After the second appeal is ready for final hearing, list this application for orders.

SECOND APPEAL NO. 789 OF 2004:

9. Office is directed to issue notice to respondent no. 5. Notice is made returnable on 28th March 2025.

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

[GAURI GODSE, J.]