

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 278 OF 2024

IN

FIRST APPEAL NO. 1177 OF 2001

Samir Suryakant Patel ...Applicant

IN THE MATTER BETWEEN :

Bharati Suryakant Patel ...Appellant

Versus

Municipal Corporation of Greater Bombay ...Respondent

Ms. Kashvi Ail i/b Mr. Rajesh Kachare for Applicant.

Ms. Vidya Vyavhare for Respondent-Corporation.

Coram : Sharmila U. Deshmukh, J.

Date : 21st April, 2025.

P. C. :

1. Interim Application has been preferred seeking leave to amend the cause-title of the First Appeal to add the name of the present Applicants as co-Appellants.
2. Learned counsel appearing for the Applicant submits that during the pendency of proceedings, the subject-property was gifted by the original plaintiff-Appellant to the present Applicants and she tenders the Affidavit in support of Interim Application where the deponent, i.e. Appellant has affirmed the said position.

3. Perusal of the Interim Application would indicate that the Registered Gift Deed has been executed on 14th June, 2018 by original Plaintiff in favor of her sons who are the present Applicants. In addition, the Appellant-original plaintiff has filed Affidavit affirming the said position.
4. In light of above, as the present Applicants had acquired the interest in the subject property, the Applicants are permitted to be impleaded as co-appellants along with the original Appellant.
5. Interim Application is allowed.
6. Amendment to be carried out within a period of four weeks from today.

[Sharmila U. Deshmukh, J.]