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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

**CIVIL APPLICATION NO. 1748 OF 2008
CIVIL APPLICATION NO. 1670 OF 2019
CIVIL APPLICATION NO. 1667 OF 2019
CIVIL APPLICATION NO. 1668 OF 2019
CIVIL APPLICATION NO. 1669 OF 2019
CROSS OBJECTION ST NO. 4725 OF 2013
INTERIM APPLICATION NO. 932 OF 2025**

IN

SECOND APPEAL NO. 618 OF 2000

**Vithoba Kushaba Padale
(Decd.) By Heirs**

.....Applicants

Vs.

Kisan Kushaba Padale (Decd.) By Heirs

.....Respondents

WITH

**INTERIM APPLICATION ST NO. 4596 OF 2021
INTERIM APPLICATION NO. 30235 OF 2022
INTERIM APPLICATION 478 OF 2023**

IN

SECOND APPEAL NO. 618 OF 2000

**Yashwant Vithoba Padale (Since Decd.
Thr. LRs) and ors**

....Applicants

Vs.

Kisan Kushaba Padale (Decd.) By Heirs

.....Respondents

**Mr. Ganesh Munde i/b Mr. Kayval P.Shah for the appellants
Mr. Tanaji Mahatukade for respondents**

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CORAM : GAURI GODSE, J.

DATE : 28th JANUARY 2025

ORDER:

CIVIL APPLICATION NO. 1670 OF 2019:

1. Issue notice to respondent nos. 13A1 to 13A6. Notice is made returnable on 8th April 2025.
2. In addition to Court notice, learned advocate for the applicants shall serve the said respondents by private notice and file affidavit of service before the next date.

INTERIM APPLICATION ST NO. 4596 OF 2021:

3. This application for bringing on record names of heirs and legal representatives of deceased appellant no. 2. The application is within time.
4. The application is allowed in terms of prayer clause (a).
5. Amendment to be carried out within four weeks.

CIVIL APPLICATION NO. 1667 OF 2019:

6. Issue notice to respondent nos. 13C(i) to 13C(iv).

7. Notice is made returnable on 8th April 2025.

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

INTERIM APPLICATION NO. 30235 OF 2022:

9. This application is for bringing on record names of heirs and legal representatives of deceased respondent no. 12. As per office noting, the application is within time.

10. The application is allowed in terms of prayer clause (a).

11. Amendment to be carried out within four weeks.

12. Learned advocate Mr. Tanaji Mahatukade waives notice of second appeal for the heirs and legal representatives of deceased respondent no. 12.

CIVIL APPLICATION NO. 1669 OF 2019:

13. This application is for bringing on record names of heirs and legal representatives of deceased respondent no. 13C(i). The heirs and legal representatives are served and represented through

advocate. There is no opposition to the prayer for condonation of delay.

14. In the facts and circumstances of the case, delay is condoned and the application is allowed in terms of prayer clauses (a), (b) and (c).

15. Amendment to be carried out within four weeks.

16. Learned advocate appearing for respondent no. 13C(i) waives notice of the second appeal.

INTERIM APPLICATION 478 OF 2023:

17. This application is for bringing on record names of heirs and legal representatives of deceased respondent no. 3. As per office noting, the application is within time.

18. Hence, the application is allowed in terms of prayer clause (a).

19. Amendment to be carried out within four weeks.

20. Learned advocate Mr. Tanaji Mahatukade waives notice of second appeal for respondent no. 3A.

INTERIM APPLICATION NO. 932 OF 2025:

21. This application is for bringing on record names of heirs and legal representatives of deceased respondent no. 2. As per office noting, the application is within time.

22. Hence, the application is allowed in terms of prayer clause (a).

23. Amendment to be carried out within four weeks.

24. Learned advocate Mr. Tanaji Mahatukade waives notice of second appeal for respondent no. 2.

CIVIL APPLICATION NO. 1748 OF 2008:

25. Office is directed to verify whether the civil application is pending. If it is pending, list the application for orders after five weeks i.e. on 21st April 2025.

[GAURI GODSE, J.]