

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1146 OF 2024
IN
REJECTED CASE NO. 442 OF 2017
[Second Appeal (Stamp) No. 23244 of 2016]**

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Pramod Waman Pagare & Ors. ...Applicants
Versus
Purushottam Ramchandra Pagare & Ors ...Respondents

Mr. Shivshankar D. Patil a/w. Mr Pratiksha C. Keni, Advocate for Applicant.

CORAM : M.M. SATHAYE, J.

DATE : 16th June, 2025

P.C. :

1. Heard learned counsel for the Applicants who are original Appellant Nos.1 & 3.
2. The application is filed for transposing Appellant No.2 (Pravin Waman Pagare) as party Respondent in the appeal, for the reason that Power of Attorney on the basis of which Appellant No.1 was prosecuting the appeal, has now been revoked by Appellant No.2.
3. By order dated 06/02/2024, the Applicants were directed to serve Appellant No.2 and file affidavit of service. Order dated 25/02/2025 records that second appeal is pending for admission. Record further shows that the service is effected on Appellant No.2 and accordingly affidavit of service is also filed.

4. None appears for the Appellant No. 2. No reply is filed.
5. In that view of the matter, interim application is allowed in terms of prayer clause (C) which reads as under :

“(C) That this Hon'ble Court may kindly allow the Appellant under Order I, Rule 10, Sub-rule (2) of the Code of Civil Procedure, to transposition of Appellant No. 2 as Respondent in Second Appeal. St. No. 23244/2016;.”

6. Necessary amendment be carried out within 2 weeks from today, in the appeal as well as pending interim application/s, if any.

(M.M. SATHAYE, J.)