



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1006 OF 2019
WITH
INTERIM APPLICATION NO.1389 OF 2019
WITH
INTERIM APPLICATION NO.1480 OF 2025

Bipin Chunilal Kamdar (Fifadara)
since deceased through his legal heirs
Meena Bipin Kamdar & Ors. ...Appellants/Applicants

Versus

Bhupendra C. Kamdar (Fifadara)
(Deceased) Through Legal Heirs
Ranjan Bhupendra Kamdar & Ors. ...Respondents

Ms. Sapna Krishnappa for the Appellants/Applicants.
Ms. Chaitali Jadhav for Respondent Nos.1(a) to 1(c).

CORAM : JITENDRA JAIN, J.
DATE : 25 SEPTEMBER 2025

P.C.:

INTERIM APPLICATION NO.1480 OF 2025

1. This application is taken out by the appellants to bring legal heirs of the deceased respondent no.1.
2. I have perused the interim application and being satisfied the interim application is allowed in terms of prayer clause (a). Amendment to be carried out within four weeks from today and amended copy to be served on all the legal heirs.
3. The delay in taking out the interim application is of 149 days. The dispute is between the two brothers and their legal heirs.

Therefore, the contentions raised by the appellants that the information about the death was given to the advocates appearing before the Trial Court and, therefore, there was a delay cannot be accepted. This cannot constitute sufficient ground. However, I do not want to non-suit the appellants and, therefore, the delay in taking out the application is allowed subject to the cost of Rs.25,000/- to be paid to Gokuldas Tejpal Hospital Compound, GPO, Lakmanya Tilak Road, Dhobi Talao, Fort, Mumbai – 400 001. The cost should be paid within eight weeks from today. If the cost is not paid then the present interim application would stand dismissed inspite of the leave granted today.

4. The Interim Application No.1480 of 2025 is disposed of.

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5. List this matter on 15 October 2025 under the caption for “settlement”.

6. The Court suggested that if the appellants are willing to pay Rs.30 lakhs to the respondents then this whole issue which is pending before this Court and the trial Court can be resolved and the parties can live peacefully by maintaining good relations.

[JITENDRA JAIN, J.]