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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2012 OF 2025
IN
SECOND APPEAL NO.15 OF 2009**

Snehlata Vitthalrao Gaikwad ... Applicant

Vs.

Shivajirao Shripatrao Gaikwad ... Respondents

Mr. Venkatesh Shastry for the Applicants.

Ms. Trushna Shah i/b. Mr. Tejesh Dande for the Respondents.

CORAM : GAURI GODSE, J.

DATE : 28th FEBRUARY 2025

ORDER :

1. This application is filed by the appellant to bring on record names of heirs and legal representatives of deceased respondent no. 2 and respondent no.4. There is delay in filing the application. The heirs and legal representatives are served and are represented through Advocate.

2. Learned counsel for the respondents opposes the application on the ground that there is huge delay of more than three years for bringing on record names of respondent no. 2 and almost eight

years for bringing on record names of respondent no. 4. She submits that the delay is not satisfactorily explained in the application.

3. Learned counsel for the applicant relies upon relevant averment in the application mentioned in paragraph 7 and 8 of the application. I have perused the reasons stated in the application.

4. The second appeal is already admitted and the parties have expired during the pendency of the appeal. I see no reason for disbelieving the ground raised for condonation of delay. In the facts and circumstances of the case, delay is condoned and the application is allowed in terms of prayer clause (a).

5. The applicant also prays for deleting name of respondent nos. 1 and 5. Appellant's are permitted to delete respondent no. 1 and 5 at the risk of the appellant. Amendment to be carried out within four weeks.

6. Interim Application is allowed in the aforesaid terms.

[GAURI GODSE, J.]