



Gaikwad RD

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
MISCELLANEOUS CIVIL APPLICATION NO.220 OF 2024
WITH
INTERIM APPLICATION NO.3721 OF 2025
IN
MISCELLANEOUS CIVIL APPLICATION NO.220 OF 2024

Rishi Chintaman Mali
Versus
Amrish J. Agarwal

...Applicant

...Respondent

Mr. Makarand V. Raut (Through VC), with Ms. Hima Khuman, for the Applicant.

Mr. Rahul Vyas, for the Respondent Nos.1 to 4.

Ms. Shagufa Patel, with Ms. Swati Punjwani, i/b. Mr. Dileep Satale, for the Respondent No.51.

CORAM
DATED:

Dr. Neela Gokhale, J.
13th March 2025

PC:-

1. Interim Application No.3721 of 2025 is filed seeking leave to amend the cause title of the Miscellaneous Civil Application No.220 of 2024, on the ground that the Respondent Nos.11 and 51 are deceased and their legal heirs are required to be brought on record. The schedule of amendment to be carried is at Annexure-I.

2. Mr. Raut, learned counsel appearing for the Respondents submits that this amendment Application has been made after one

and half year after the original plaint in the suit pending before the trial Court was amended by him. He thus, contends that the Applicant herein had the information in respect of the demise of Respondent Nos.11 and 51, way back in 2023 itself. He thus, states that there is a delay in making an Application for amendment.

3. Be that as it may, since the Respondent Nos.11 to 51 are deceased, their legal heirs are required to be brought on record and amendment to that effect is necessary. Thus, the Applicant is permitted to carry out the amendment within a period of one week from today and provide a copy of the amended Application to the Respondents. Reverification is dispensed with.

4. For the delay in making this application, the Applicant shall pay a costs of Rs.15,000/- to the Bar Council of Maharashtra and Goa within a period of one week from today.

5. The details of the account are as under:

Bank Name :- State Bank of India

Branch Name :- Mumbai Main Branch

Account Name :- BAR COUNCIL OF MAH. & GOA.

Account Number :- 00000010996711937

IFSC Code :- SBIN0000300

6. Interim Application for amendment is disposed of accordingly.

7. Mr. Vyas, learned counsel for the Respondents seeks time to file Affidavit in Reply to the main Miscellaneous Civil Application. Time is granted. The Respondents shall file their reply within two weeks from today, with an advance copy to the Applicant.

8. List the Miscellaneous Civil Application No.220 of 2024 on **4th April 2025.**

(Dr. Neela Gokhale, J)