

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 6679 OF 2024

IN

FIRST APPEAL NO. 575 OF 2000

Parshuram Khanderao Patil Dec. Thr. Lrs. 1) Rekha ...Applicants
Parshuram Patil And Ors.

IN THE MATTER BETWEEN.

Parshuram Khanderao Gopal Patil & Ors. ... Appellants.

Versus

Kailashchandra B. Deora And Anr ...Respondents

Adv. K. D. Shah for the Applicant.

Mr. Asutosh Shukla i/by Adv. Pande for the Respondent No. 1.

Coram : Sharmila U. Deshmukh, J.

Date : April 22, 2025.

P. C. :

1. The matter was listed today under the caption for direction as there was some confusion as regards the identities of Respondent Nos. 13 and 14 which has now been clarified by learned Counsel appearing for the Applicant.
2. Interim Application has been preferred for bringing on record the legal heirs of the deceased Appellant No. 1.
3. Learned Counsel appearing for the Respondent No. 1 would submit that in connected First Appeal No. 574 of 2000, the present Appellant No. 1, whose legal heirs are sought to be brought on

record, had executed consent terms with Respondent Nos. 1 and 2 herein, who were Respondent Nos. 13 and 14 in First Appeal No. 574 of 2000, and had given up his rights in respect of the subject property. He would further submit that therefore the legal heirs of Appellant No. 1 are not required to be brought on record.

4. Learned Counsel for the Appellant No. 1 does not dispute this position.

5. The order dated 4th October, 2011 passed in First Appeal No. 574 of 2000 makes it evident that pursuant to the consent terms executed between Appellant No. 1 and Respondent Nos. 2 and 3 herein, who were Appellant No. 3 and Respondent Nos. 13 and 14 was accepted and the Appeals disposed of in terms of the Consent Terms. In view thereof there is no necessity of bringing of record the legal heirs of the deceased Appellant No. 1 in the present Application.

6. In view thereof, Interim Application is disposed of.

[Sharmila U. Deshmukh, J.]