

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 8134 OF 2024

IN

FIRST APPEAL NO. 1099 OF 2019

Pushpasen Sawant
(since deceased, through LR)

...Applicants

In the matter between :

Pushpasen Sawant

...Appellant

Versus

Chandrakant Gangaram Rane
(since deceased, through LR)

...Respondents.

Ms. Bhakti Sutar i/b Mr. Vikas Mahangare for Applicant.
Mr. Amey Tamhane for Respondent Nos. 2 and 3.

Coram : Sharmila U. Deshmukh, J.

Date : 17th March, 2025.

P. C. :

1. Interim Application has been preferred for amending the prayer clause in Interim Application No. 8133 of 2024, which has been preferred for bringing the legal heirs on record.
2. An office objection was raised that Interim Application No. 8133 of 2024 does not include prayer clause for restoration of First Appeal, which has been dismissed for non-filing of paperbook.
3. Learned counsel appearing for Applicant seeks permission to

carry out necessary amendments in Interim Application No. 8133 of 2024.

4. As First Appeal came to be dismissed for non-filing of paperbook before the legal heirs are brought on record, the First Appeal has to be restored and as such, necessary prayer for restoration is required.

5. In light of above, Interim Application is allowed. Amendment to be carried out within a period of three weeks from today.

6. List on **15th April, 2025.**

[Sharmila U. Deshmukh, J.]