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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 487 OF 2014
WITH
INTERIM APPLICATION NO. 1949 OF 2022
WITH
CIVIL APPLICATION NO. 1136 OF 2014
IN
SECOND APPEAL NO. 487 OF 2014**

Chandrakant Sakharam Kolte (since ... Appellants/Applicants
Decd through Lrs) Snehal Sanjay
Pathrae and Anr

vs.

Suryakant Sakharam Kolte and Ors ... Respondents

**WITH
INTERIM APPLICATION NO. 12460 OF 2024
WITH
INTERIM APPLICATION NO. 12461 OF 2024
IN
SECOND APPEAL NO. 548 OF 2024**

Bhiku Sakharam Kolte ... Applicant/Appellant

vs.

Suryakant Sakharam Kolte and Ors ... Respondents

Ms. Gunjan Shah i/b. Mr. Kayval Shah for Appellant in SA/548/24.
Ms. Ruchita Kadam a/w. Ms. Bhakti Wast h/f. Mr. Sanjiv Sawant for
Appellants in SA/487/2014.
Mr. Ajit J. Kenjale a/w. Mr. Sai Rajendra Kadam for Respondent
Nos. 1 and 2 in SA/487/14.

CORAM : GAURI GODSE, J.

DATED : 1st APRIL 2025

ORDER:

1. Learned counsel for the appellants in Second Appeal No. 487

of 2014, submits that the parties have amicably settled the dispute and they intend to file consent terms. However, the original plaintiff has not been made a party to the consent terms.

2. The original plaintiff has filed a separate second appeal alongwith the condonation of delay application. Second Appeal No. 548 of 2024 is the appeal preferred by the original plaintiff.

3. Notice issued in plaintiff's application for condonation of delay to defendant no.3 is returned unserved with the remark 'dead'. Learned counsel for the plaintiff seeks time to take steps against deceased defendant no.3.

4. Learned counsel for the appellant in Second Appeal No. 487 of 2014, seeks time to verify whether the heirs and legal representatives of deceased defendant no.3 are brought on record in the second appeal.

5. The second appeal is already admitted.

6. List the Interim Application No. 12460 of 2024 in Second Appeal No. 548 of 2024 on 10th June 2025. Second Appeal No. 487 of 2014, to be listed alongwith the Interim Applications.

(GAURI GODSE, J.)