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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 337 OF 2025
WITH
INTERIM APPLICATION NO. 8053 OF 2025**

Prakash Gyandev Kamble and Ors ... Appellants/Applicants

vs.

Rajanikant Pandurang Mayekar ... Respondent

Mr. K. Solanki, Ms. Disha Solanki for Appellants/Applicants.

Mr. Manish N. Jain a/w. Ritu G. Gehlot i/b. S.M. Jain Associates for
Respondents.

CORAM : GAURI GODSE, J.

DATED : 6th MAY 2025

ORDER:

1. Learned counsel for the respondent submits that the appeal was already adjourned to 28th June 2025 at the request of the appellants. He therefore submits that the appeal be taken up on its due date.

2. Learned counsel for the appellants submits that he has filed Vakalatnama only for appellant nos. 1 and 3. Appellant no.2 is shown as deceased. However, he has no instructions to appear for appellant nos. 4 and 5. Office is directed to verify the Vakalatnama

and place on record a report as to why the appeal is registered on behalf of appellant nos. 4 and 5, though there is no Vakalatnama filed. Report to be submitted before the next date.

3. Copy of this order be placed before the Learned Assistant Registrar of the second appeal department for information and necessary action regarding the scrutiny of the second appeal.

4. Learned counsel for the appellants seeks leave to amend to transpose appellant nos. 4 and 5 as respondents. Leave granted.

5. Amendment to be carried out within four weeks. Amended copy to be served on the learned advocate for the respondents.

6. List the appeal on its due date i.e on 28th June 2025.

7. Amendment also to be carried out in the title of the Interim Application.

(GAURI GODSE, J.)