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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 7260 OF 2025
IN
CIVIL REVISION APPLICATION NO. 472 OF 2009**

Kakad Co-operative Housing Society Ltd ... Applicant

IN THE MATTER OF

Murzban N. Khariwala and Ors ... Applicants

VS.

Kakad Cooperative Housing Society Ltd and Ors ... Respondents

Mr. R.S. Apte, Senior Advocate a/w. Mr. Mahendra Agvekar i/b.
Mr. Rajesh Gehani for Applicant in IA/7260/25.

Mr. Abbas Zaidy a/w. Mr. Aditya A. Kavde i/b. Zohair and Co, for
Applicants in CRA.472/2009.

CORAM : GAURI GODSE, J.

DATED : 23rd JUNE 2025

ORDER:

1. This application is filed by the original plaintiff for permission to bring on record the names of heirs and legal representatives of deceased defendant no.5 in the suit. The Civil Revision Application is filed by defendant no. 5. The Civil Revision Application is admitted and further proceedings of the suit are stayed. Hence, the applicant/original plaintiff was unable to file appropriate application in the trial court.

2. Interim Application is therefore allowed by passing the following order:

I) The applicant/original plaintiff is permitted to file appropriate application in L.C Suit No. 2591 of 2000 for bringing on record the names of heirs and legal representatives of defendant no.5.

II) It is clarified that interim order of stay granted by this court shall operate for the trial of the suit and the trial court can consider the application for bringing on record, the names of heirs and legal representatives of deceased defendant no.5.

3. Interim application is allowed in the aforesaid terms.

(GAURI GODSE, J.)