

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 10103 OF 2025
IN
FIRST APPEAL NO. 578 OF 2024**

Madhukar Bhiva Gaikwad (deceased)
Through Legal Heirs Smt. Mirabai Alias
Neerabai And Ors.

...Applicants

Versus

Mr. Sadashiv Shankar Jadhav & Anr.

...Respondents

Adv. Babita P. Pandey i/b. Mr. Vikas Shivgan for the Applicants
None for the Respondents

CORAM : M. M. SATHAYE, J.

DATED : 18th JULY 2025

P.C.:

1. Heard learned Counsel for the Applicants.
2. This is an Application for deleting name of the Respondent No. 2, who has expired and for bringing the 'fact of death of the Respondent No. 2' on record. True copy of the death certificate of the Respondent No. 2 is placed on record.
3. It is contended that when the private notice was sent to serve the Respondent No. 2, it returned with an endorsement 'as deceased'. It is stated that at that time, the Applicants came to know about the death of the Respondent No. 2 for the first time.

4. Considering the averments in the Application, the Applicants are permitted to delete the name of the Respondent No. 2 from the cause title of the First Appeal as well as pending Interim Applications.
5. The Interim Application is disposed of.

(M. M. SATHAYE, J.)