

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

**SECOND APPEAL NO. 629 OF 2025
WITH
INTERIM APPLICATION NO. 38342 OF 2025
WITH
INTERIM APPLICATION NO. 38341 OF 2025**

Baban Dhondiba Halande And Ors. ...Appellants

Versus

Poona Realtors Pvt. Ltd. Company And Ors. ...Respondents

SANTOSH
SUBHASH
KULKARNI

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Mr. Ashok Tajane, for the Appellants – Applicants.
Mr. Sumit Sonare, for Respondent Nos.1 and 2.

**CORAM: N. J. JAMADAR, J.
DATED: 16th DECEMBER, 2025**

PC:-

INTERIM APPLICATION NO. 38342 OF 2025

1. Heard the learned Counsel for the applicants.
2. This is an application to bring the legal representatives of appellant No.5, who passed away after the impugned decree was passed by the first Appellate Court.
3. For the reasons assigned in the application and to advance the cause of substantive justice, the delay in taking out the application to set aside the abatement and bring the legal representatives of appellant No.5 stands condoned, and the

abatement stands aside. The appellants are permitted to bring legal representatives of deceased appellant No.5 on record.

4. Necessary amendment be carried out within a period of one week and amended copy of the appeal-memo be served on the respondents.

5. Mr. Sonare, the learned Counsel, submits that respondent Nos.1 and 2 have filed a Caveat.

6. Mr. Tajane, the learned Counsel for the appellants, undertakes to serve respondent Nos.1 and 2.

7. IA/38342/2025 stands disposed.

8. SA/629/2025, stand over to 14th January, 2026.

[N. J. JAMADAR, J.]