

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

INTERIM APPLICATION NO. 1519 OF 2025

IN

SUTTS NO. 1114 OF 2015

Manmandir Suraksha Co-op Housing

Society Ltd And Anr.

...Applicants

In the matter between.

Manmandir Suraksha Co-op Housing

Society Ltd And Anr.

...Plaintiffs

Versus

Aspiander J. Irani & Ors.

...Defendants

Mr. Ram S. Apte, Sr. Advocate i/b Mr. Parag Kale, for the Applicants/Plaintiffs.

Mr. Piyush Raheja i/b Ami Parekha, for Defendant No.1A.

Mr. Duj Jain a/w Aashvi Pandya i/b Kiran Jain & Co., for Defendant No.7.

Ms. Eesha Jaifalkar (through V.C.) i/b S. R. Page, for Defendant No.8 & 9.

Mr. S. Talla i/b Ms. Neelam Topkar, for Defendant No.10.

Mr. Himanshu Takke, AGP, for Defendant Nos.15 to 20 –State.

Ms. Vaishali Bhilare, for Defendant Nos.21 to 27.

CORAM : ARIF S. DOCTOR, J.

DATE : 8th DECEMBER 2025

P.C.

1. The present Interim Application seeks impleadment of the legal heirs of Defendant No.1–Aspiander J. Irani, who passed away on 16th April 2019.

2. Mr. Raheja, learned counsel for Defendant No.1A opposes the Interim Application by submitting that the delay is inordinate and also the fact that the Plaintiffs were aware of the demise of the Defendants in view of certain parallel

ongoing legal proceedings. He thus submitted that the delay ought not to be condoned.

3. Given that the Plaintiff has not shown sufficient cause for not moving the Interim Application earlier.

4. After having heard learned counsel at some length and having perused the Interim Application as also the annexures thereto, I find that there is undeniably some delay. However, Mr. Apte, learned senior counsel appearing on behalf of the Applicants society has invited my attention to a letter dated 21st June 2023 by which the Defendants themselves called upon the Applicant to implead them as parties. Furthermore, I find that the substantive interest of justice would be best served if the impleadment application is allowed. However, the same shall be subject to costs of Rs.15,000/- payable by the Applicant.

5. This costs shall be paid to the Army Widows Welfare Fund.

6. Since the parties are *ad idem* that the suit is connected, list the matter on 12th January 2026 along with Suit No.355 of 2017.

[ARIF S. DOCTOR, J.]