

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

**APPEAL NO. 35 OF 2009
IN
SUTT NO. 511 OF 1994**

Govind Waman Bhide ...Appellant

Vs.

Prabhakar Shankar Bhide & Ors. ...Respondents

**WITH
APPEAL NO. 176 OF 2009
WITH
INTERIM APPLICATION NO. 724 OF 2025
WITH
INTERIM APPLICATION NO. 105 OF 2025**

Mr. Parag Kale for the Appellant in APP/176/2009 and for Respondent No.7 in APP/35/2009.

Mr. Yashodhan Divekar a/w Shubham D. Jadhav i/by Divekar & Co. for Respondent Nos.6B to 6D in APP/35/2009 and for Respondent Nos.2A to 2D in APP/176/2009.

Mr. Karan Mehta a/w Soniya Putta and Priyanka Singh i/by M/s. Solomon & Co. for Respondent Nos.1, 2, 3A & 3B.

Mr. Nitin C. Pawar, Court Receiver, Bombay High Court is present.

**CORAM : M.S. Sonak &
Advait M. Sethna, JJ.**

DATED : 24 September 2025

P.C.:-

1. Heard learned counsel for the Respondents. The Interim Application No.724 of 2025 and Interim Application No.105 of 2025

seek to bring on record legal representatives of the Respondents who have died pending the Appeal. There is delay in filing these Applications, but the delay has been properly explained. Since there is sufficient cause, we condone the delay and set aside abatement, if any. Learned counsel for the Appellant states that Kunda Bhide, one of the Respondents has also expired, but her legal representatives are already on record and only an amendment may be necessary to the cause title. The same is the position with regard to Respondent No.3A Mahadeo Gokhale. Accordingly, we allow both these Interim Applications and permit the legal representatives to be brought on record. We also allow the Applicant to carry out the necessary amendments to the cause title. Amendments must be carried out within two weeks from today.

2. Steps must also be taken within two weeks to serve the legal representatives, who are now permitted to bring on record. These Interim Applications are disposed of.

3. Once the service is complete, place the Appeal No.176 of 2009 and Appeal No.35 of 2009 for final hearing on **19 November 2025**.

(Advait M. Sethna, J)

(M. S. Sonak, J.)