

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

INTERIM APPLICATION NO. 1840 OF 2025  
IN  
SUIT NO. 426 OF 2013

**Paresh Jagdish Lakhani and Ors.**

**...Applicants**

**In the matter between**

**Krishna (Khar) Co-operative HSG Society Ltd. and Ors. ...Plaintiffs**

**V/s.**

**Radha Kishan Construction & Ors.**

**...Defendants**

Mr. Hafeezur Rahman with Mr. Prathamesh Waghmare for the Applicants.

Ms. Sanika Athalye i/b Raval Shah and Co. for the Respondents/Plaintiffs.

Ms. Nandini Deshpande, 1<sup>st</sup> Assistant to the Court Receiver with Ms. V. B. Warlikar, S. O. present.

**CORAM : ABHAY AHUJA, J.**

**DATE : 4<sup>th</sup> SEPTEMBER, 2025**

**P.C. :**

1. This Interim Application has been filed by the legal heirs of the deceased Defendant No.3 to be substituted in place and stead of the deceased Defendant No.3.

2. When the matter is called out, Ms. Athalye, learned Counsel appears for the Plaintiffs and submits that she has no objection if the Interim Application is allowed, submitting that two weeks' time be granted for carrying out the necessary amendments to the Plaint and proceedings.

3. Having heard the learned Counsel and having considered the submissions, this Court is of the view that the Application be allowed in terms of prayer Clauses (a) and (b), which read thus:-

“(a) This Hon’ble Court be pleased to Direct the Plaintiff to delete the name of the deceased Original Defendant No. 3 from the records of the Suit No. 426 of 2013 and all connected pending applications as above.

(b) This Hon’ble Court be pleased to Direct the Plaintiffs to add the names fo the Applicants herein being legal heirs in place of the Original Defendant No. 3 in cause title of the present suit and all connected pending applications, as well the other places in the pending proceedings.”

4. Let the amendments be carried out within a period of two weeks. Let the amended proceedings be served on the other side within a period of two weeks thereafter and an appropriate affidavit of service be filed.

5. The Interim Application accordingly stands allowed and disposed as above.

**(ABHAY AHUJA, J.)**