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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY SUIT NO. 92 OF 1997
IN
TESTAMENTARY PETITION NO. 812 OF 1997

Mr. Sainath Dattatraya Jadhav .. Plaintiff

Versus

Dr. Mala Bhimrao Patil (since deceased) .. Defendant

WITH
INTERIM APPLICATION NO. 4730 OF 2025

Mr. Sainath Dattatraya Jadhav .. Applicant

Versus

Rahul Suresh Jadhav .. Respondent

WITH
SUIT NO. 2165 OF 1996

Adv. Rashid Khan i/b Adv. Vinali Bhaidkar for the Plaintiff.
None for Defendant.

CORAM: FIRDOSH P. POONIWALLA, J.

DATE: SEPTEMBER 19, 2025

P. C.

1. This Application has been filed by the original Plaintiff for bringing on record the legal heirs of Defendant No.6 who passed away on 2nd May, 2024. The Application also seeks condonation of delay of 440 days in filing the present Application.

2. The reason for the delay is explained in the Interim Application. I am satisfied that sufficient cause has been shown for condoning the delay in filing the present Application.
3. Further, the proposed Defendant, who is the son of the original Defendant No.6, has to be brought on record being the legal heir of the original Defendant No.6.
4. In these circumstances, the Application is allowed in terms of prayer (a) and (b) thereof.
5. There will be no order as to costs.
6. The amendment to be carried out within a period of 2 weeks and a copy thereof be served to other parties. Place the Suit for hearing on 7th October, 2025.

[FIRDOSH P. POONTIWALLA, J.]