



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAS) NO. 112 OF 2025

IN

SECOND APPEAL NO. 350 OF 2019

(M/s Sagdeo Towers & Ors. V/s Balbirsing Pritamsingh Renu & Ors.)

Office Notes, Office Memoranda of Coram,
Appearances, court's orders or directions and
Registrar's orders

Court's or Judge's orders

Mr. P. V. Vaidya, Advocate for Appellants.

CORAM : ROHIT W. JOSHI, J.

DATE : APRIL 23, 2025.

. The Appellant No.4 – Jeevan Daulat Patel has expired on 28/2/2020. His son Rajesh Jeevan Patel has filed the present Application for bringing his name as legal representative of deceased Appellant No.4 on record, on the basis of the Will allegedly executed by the Appellant No.4 in his favour on 27/10/2016.

2. Perusal of the Will indicates that the Appellant No.4 has three daughters namely, Sharmila, Anjali and Vaishali. They are also his Class-I legal representative apart from the Applicant Rajesh Patel (son). The deceased Appellant No.4 – Jeevan Patel was a partner in Appellant No.1 – M/s Sagdeo Towers, which is stated to be a registered partnership Firm.

3. In that view of the matter, Civil Application is allowed by permitting the name of Applicant, viz – Rajesh Jeevan Patel to be substituted as legal representative of the deceased Appellant

No.4 on record. However, it is clarified that unless the Will is proved in accordance with law, the Applicant will not be entitled to claim benefit of the decree individually to the exclusion of the other Class-I legal representatives of deceased Appellant No.4 mentioned above. It will be pertinent to note that the Applicant Rajesh Patel will appear in the matter for and on behalf of the all legal representatives till the Will is proved in an appropriate proceedings in accordance with law.

4. Civil Application is disposed of in above terms.

(ROHIT W. JOSHI, J.)