2026:BHC-AUG:53701

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6375 OF 2007
IN SA/365/1995
WITH CIVIL APPLICATION NO. 13095 OF 2026
IN SA/365/1995
WITH CIVIL APPLICATION NO. 13096 OF 2026
IN SA/365/1995
WITH CIVIL APPLICATION NO. 13097 OF 2026
IN SA/365/1995
WITH CIVIL APPLICATION NO. 13098 OF 2026
IN SA/365/1995

MARTAND BALAJI KULKARNI (L.RS.) SHARAD AND ANOTHER.
VERSUS
BHASKAR TRIMBAK KULKARNI.(L.RS.)NIRMALA AND OTHERS.

.....
Advocate for the Appellants : Mr. Rahul P. Dhase and
Adgaonkar Ravibhushan P.
Advocate for Resp. No.1 : Mr. P. P. Patni h/f. A.S. Bajaj
Advocate for Respondents : Mr. Sanket Kulkarni h/f. V.T. Choudhary
.....

CORAM : SANJAY A. DESHMUKH, J.
DATE : 02.11.2026

P.C.:-

Civil Application No.6375 of 2007:

1. The following relief is sought in the application;

"A) That the copy of partition deed dated 15-12-2003 may kindly be taken on record of the Second Appeal No.365 of 1995. It may kindly be considered while hearing of Second Appeal No.365 of 1995 and the Honourable High Court may kindly be consider to pass decree in the Second Appeal No.365 of 1995, so

as to confirm the terms of partition deed dated 15-12-2003.

B) That the Respondent No.1(B) Dr. Nishikant Bhaskar Kulkarni may kindly be directed to produce original partition deed dated 15-12-2–3 in the Second Appeal No.365 of 1995."

2. The learned advocate for the respondents has no objection. Considering, the no objection on the part of the respondents, the application is allowed as prayed and disposed of.

Civil Application No.13095 of 2026:

3. This is an application to correct the names of respondent nos.9F/3F, 9G/3G, 9B-viii, 9B-iv, 12 and 13.

4. Perused the application. Heard the learned advocate for applicants.

5. Considering the reasons stated in the application and the clerical mistake, the application is allowed as prayed. Amendment be carried out before the next date.

Civil Application No.13096 of 2026:

6. This is an application for deleting the names of respondent nos.9-I-A/4A, 9-A-A, 7 and 2-A in terms of prayer clause-B.

7. Perused the application. Heard the learned advocate for applicants.

8. Learned advocate for the applicants submits that LRs of these respondents are already on record. In the interest of justice, the application is allowed as prayed. Amendment be carried out before the next date.

Civil Application No. 13097 of 2026:

9. This is an application for condonation of delay of 193 days caused in filing the application for setting aside the abatement and for bringing the legal representatives of respondent no.12 on record.

10. Perused the application. Heard the learned advocate for the applicants.

11. On perusal of the application, it appears that the delay has not been deliberately caused. Therefore, in the interest of justice, the delay deserves to be condoned.

12. For the reasons stated in the application, the delay stands condoned. In the interest of justice, the application stands allowed as prayed. Amendment be carried out before the next date.

Civil Application No. 13098 of 2026:

13. This is an application for adding parties i.e. respondent nos.22 and 23 on record in second appeal.

14. Perused the application. Heard the learned advocate for the applicants.

15. For the reasons stated in the application, the same is allowed as prayed. Amendment be carried out before the next date.

Appeal:

16. Appellant-Mr. Hanmant Narhar Kulkarni is present in the Court. He has filed clarificatory affidavit. It is taken on record and marked as 'X1' for identification.

17. Stand over to 04.11.2026.

[SANJAY A. DESHMUKH, J.]

mubashir