



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

SECOND APPEAL NO. 499 OF 2023

**PRAKASH PANDURANG TOMPE DECEASED L.Rs.
SACHIN PRAKASH TOMPE**

VERSUS

**MOHD. ABDUL MUGHANI MOHD. ABDUL GANI
FAROOQUI AND OTHERS**

WITH

CIVIL APPLICATION NO. 8446 OF 2023 IN SA/499/2023

CIVIL APPLICATION NO. 9861 OF 2023 IN SAST/33652/2021

CIVIL APPLICATION NO. 6345 OF 2022 IN SAST/33652/2023

CIVIL APPLICATION NO. 11276 OF 2021 IN SA/499/2023

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Advocate for Appellant : Mr. S. R. Bagal

Advocate for Applicant in CA No.8446/2023 : Mr. A.G. Shinde h/f
Mr. R.V. Gore

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CORAM : MEHROZ K. PATHAN, J.

DATE : 18th FEBRUARY 2026

PER COURT :

1. Not on board. Mentioned. Taken on board.
2. The learned Counsel for the Appellants Mr. Bagal submits that vide order dated 05.02.2026, this Court has granted extension of time to carry out the amendment subject to payment of cost of Rs.1000/- to be paid to each of the Respondents. The Appellants have paid an amount of Rs. 1000/-. The Counsel further submits that

the Appellants have already deposited the cost with the Counsel for Respondent Nos. 1 to 3. However Respondent No.4 has passed away. The legal heirs of Respondent No.4 was already proposed to be brought on record in the Civil Application and as such the notices were issued though the proposed Respondent Nos. 4A to 4F have already been served with a copy of notice, however failed to file their appearance in the present Appeal. Thus the order dated 05.02.2026 may be modified.

3. The learned Counsel Bagal submits a pursis showing the deposit of the cost of Rs.1000/- to Respondent Nos. 1 to 3. The same is taken on record and marked 'X' for identification.

4. However, since Respondent Nos. 4A to 4F have not yet filed their appearance, the order dated 05.02.2026 stands substantially complied with.

5. The Appellants are permitted to carry out the necessary amendment as permitted vide order dated 05.02.2026 within a period of one week.

6. Place the Second Appeal for admission and hearing on 05.03.2026.

MEHROZ K. PATHAN
JUDGE

NATEEB..