

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.9277 OF 2025
IN
SECOND APPEAL NO.82 OF 2009

Parasu Gopala Satpute (since deceased through his
Legal Heirs) 1. Hirabai Parasu Satpute (deleted)
Krishna Parasu Satpute and others ... Applicants

IN THE MATTER BETWEEN:

Parasu Gopal aSatpute (since deceased through his
Legal Heirs) 1. Hirabai Parasu Satpute (deleted)
Krishna Parasu Satpute and others ...Appellants

SHAILAJA
SHRIKANT
HALKUDE
Digitally signed by
SHAILAJA
SHRIKANT
HALKUDE
Date: 2026.02.20
18:28:11 +0530

Versus

Rajaram Pandurang Satpute (since deceased) Maruti
Vishnu Satpute (since deceased)) Shrikant Jagannath
Satpute (since deceased through heirs and
representatives) Manisha Shrikant Satpute and others ... Respondents

Mr. Venkatesh Shastry, for Applicants.

CORAM : M. M. SATHAYE, J.
DATE : 20th February 2026.

P. C. :

1. Heard learned counsel for the Applicants.
2. This is an Application for bringing on record legal heirs of deceased Respondent No.2, Respondent No.7-b and Respondent No.10 on record.
3. There is stated delay of 10 years, 1 month and 12 days in bringing legal representatives of Respondent No.2 on record, delay of 6 years, 2 months and 26 days in bringing legal heirs of Respondent No.7-b and delay of 1 years, 1 month and 8 days in bringing legal heirs of Respondent No.10

on record.

4. Learned Counsel for the Applicants submitted that reason for delay is explained in application from paragraphs 8 to 12. Perused the Application. Apparently, it is the case of the Applicants that though the concerned deaths were informed to the earlier Advocate, the earlier Advocate did not take steps in time and, therefore, now by engaging another Advocate, present Application is filed. Therefore there is delay.

5. On 26.11.2025, notices were issued to the proposal legal heirs by following order :

“INTERIM APPLICATION NO.9277 OF 2025

1. The applicants seek to condone delay caused in filing application for bringing heirs and legal representatives of deceased respondent Nos.2, 7(b), and 10 on record.
2. Issue notice to proposed heirs and legal representatives of deceased respondent Nos.2, 7(b), and 10, returnable on 16th January 2026.”

6. On 16.01.2026, four proposed legal heirs appeared before the Court in person and following order was passed;

“Mr. V. A. Shastry for the applicants.

Mr. Mohanrao Maruti Satpute, respondent No.2(1), is present.

Mr. Pramod Maruti Satpute, respondent No.2(2), is present.

Mr. Rajendra Nivrutti Satpute, respondent No.7(b)(1), is present.

Mr. Uday Dinkar Adate, respondent No.10(1), is present.

1. The heirs and legal representatives of deceased respondent Nos.2, 7, and 10 are present in Court and seek time to engage an advocate.
2. Stand over to 30th January, 2026”.

7. Thereafter, on 30.01.2026, following order was passed;
 - “1. It appears that on last date, the legal heirs of deceased respondent Nos.2, 7 and 10 requested time to engage the counsel.
 2. Today, the legal heirs are not present and no counsel was appointed.
 3. Stand over to 20th February 2026, as a last chance to the legal heirs to appoint the counsel”.
8. Today, nobody is appearing for the proposed legal heirs, nor any advocate is engaged to oppose the application. No reply is filed.
9. As recorded above, last chance was given to the proposed legal heirs to appoint advocate till today. Since nobody is appearing for the Respondents, no reply is filed and the averments on oath made by the Applicants go uncontroverted, sufficient cause is made out.
10. Application is allowed. Delay is condoned. Applicants are permitted to bring legal heirs of deceased Respondent No.2, 7-b and 10 on record.
11. Necessary amendment be carried out within a period of 3 weeks from today.
12. Interim Application is disposed of in above terms.

[M. M. SATHAYE, J.]