

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO.10417 OF 2025
IN
SECOND APPEAL NO.667 OF 1995**

Alka Shivaji Phalake,
Since Deceased Through LRs.Applicants

In the Matter in Between:

Shrirang Dhondiba Chavan,
Since Deceased, Through LRs.Appellants

Vs.

Sushilabai Balwant Deshmukh,
Since Deceased, Through LRs.Respondents

Mr. Rushikesh Desai (Through VC), for the Applicants.

Ms. Jaya Bagwe (Through VC), for the Respondent Nos.2(b) & 2(c).

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 9th APRIL 2026

PC.:-

1. The counsel for Applicant/Appellant has filed this application for bringing legal heirs of Appellant No.4 on record. The Appellant No.4 died on 27th July 2023. There is delay of 427 days in setting aside abatement.

2. For the reasons given in the application, the Application is allowed.

3. The delay of 427 days is condoned. The abatement is set aside.
The Applicants/Appellants are allowed to bring the legal heirs of Appellant No.4 on record.
4. Amendment to be carried out within a period of two weeks from today.

(MRS. VRUSHALI V. JOSHI, J.)

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