IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 540 OF 2005

Parvatabai Pundlik Tidke and Ors. **...Appellants**

V/s.

Natwarlal Chimanlal Shah and Ors. **...Respondents**

WITH
INTERIM APPLICATION NO. 3877 OF 2026
IN
SECOND APPEAL NO. 540 OF 2005

Smt. Venubai Punjaji Bhandure and Ors. **...Applicants**

In the matter between:

Smt. Parvatabai Pundlik Tidke **...Appellants**

V/s.

Shri Natwarlal Chimanlal Shah **...Respondents**

WITH
INTERIM APPLICATION NO. 3875 OF 2026
IN
SECOND APPEAL NO. 540 OF 2005

Venubai Punja Bhandure and Ors. **...Applicants**

In the matter between:

Smt. Parvatabil Pundlik Tidke and Anr. **...Appellants**

V/s.

Natwarlal Chirnanlal Shah and Anr. **...Respondents**

WITH
INTERIM APPLICATION NO. 16238 OF 2024
WITH
INTERIM APPLICATION NO.1756 OF 2026

WITH
INTERIM APPLICATION NO.1745 OF 2026
WITH
INTERIM APPLICATION NO.1761 OF 2026
IN
SECOND APPEAL NO. 540 OF 2005

Smt. Venubai Punjaji Bhandure Since Deceased Her Legal Heirs 1.1 Dattu Punjaji Bhandure **...Petitioner**

V/s.

Natwarlal Chimanlal Shah and Ors **...Respondents**

WITH

INTERIM APPLICATION (ST) NO. 22595 OF 2026

IN

SECOND APPEAL NO. 540 OF 2005

Smt Parvatabai Pundlik Tidke Since Deceased **...Petitioners**

V/s.

Natwarlal Chimanlal Shah **...Respondents**

WITH
INTERIM APPLICATION NO. 5061 OF 2026
IN
SECOND APPEAL NO. 540 OF 2005

Smt. Venubai Punja Bhandure Since Died On 03.03.2021 and Ors. **...Applicants**
In the matter between:
Smt. Pravatabai Pundlik Tidke and Anr. **... Appellants**

V/s.

Shri Natwarlal Chimanlal Shah **...Respondents**

Mr. Nikhil M. Pujari *with Bipin A. Singh i/b Adv. P.N. Joshi for Aeppellant No. 2.*

Mr. Aryavrat S. Dube *i/b Adv. S.S. Kulkarni, for Respondent No. 2.*

CORAM: SANDEEP V. MARNE, J.

DATED: 14 AUGUST 2026

P.C.:

Interim Application No. 5061 of 2026:

1) The application is filed to bring on record legal heirs of Appellant No. 2, who has passed away during pendency of the Appeal. The application is fairly not opposed by learned counsel appearing for Respondent. In view of the averments made in the Application, the same is allowed by condoning the delay in filing the same. The legal heirs of Appellant No. 2 are permitted to be brought on record. Necessary amendment to be carried out within a period of three weeks.

2) The Interim Application is **disposed of**.

Interim Application No. 3875 of 2026:

3) The Application is filed to bring on record legal heirs of Respondent No. 1, who has passed away during pendency of the Appeal. The learned counsel who used to represent the Respondent No. 1 submits that, so far, he has not received instructions from legal heirs of Respondent No. 1. He, however, submits that efforts shall be made to contact them and to put an appearance on their behalf. Therefore, the

Interim Application is allowed by condoning the delay in filing the the same. The legal representative of Respondent No. 1 is permitted to be brought on record. Amendment to be carried out within a period of three weeks.

4) The Interim Application is **disposed of**.

The Interim Application 3877 of 2026:

5) The application is filed for deletion Respondent Nos. 3 to 5 from the cause title of the Appeal on the ground that they have already sold their shares to third persons. At the risk of the Appellants, Respondent Nos. 3 to 5 are permitted to be deleted. Necessary amendments to be carried out within three weeks.

6) The Interim Application is accordingly **disposed of**.

Interim Application No. 1745 of 2026:

7) This Interim Application is filed in Interim Application No. 16234 of 2024 for condonation of delay. However, Interim Application No. 16234 of 2024 has already been withdrawn by order dated 11 June 2026. Therefore, nothing survives in this Interim Application and the same is **disposed of**.

The Interim Application No. 1761 of 2026:

8) This Interim Application is filed in Interim Application 16237 of 2024 for condonation of delay. However, Interim Application No. 16237 of 2024 is already disposed of as withdrawn by order dated 11 June 2026.

Therefore, the Interim Application has been rendered infructuous and hence **disposed of**.

Interim Application 16238 of 2024:

9) This Interim Application is filed in Interim Application No. 16238 of 2024, which is filed seeking stay the judgment during pendency of the appeal.

Interim Application No. 1756 of 2026:

10) The Application is filed for condonation of delay in bring on record legal heirs of Respondent No. 4-F. However, the Appeal is withdrawn *qua* Respondent No. 4. Therefore, nothing survives in the Interim Application and the same is **disposed of**.

11) Now that all the Interim Applications are disposed of, except Interim Application for stay, the Appeal itself would be taken up for hearing on the next date. At the request of learned counsel appearing for Appellant, list the Appeal on **28 August 2026**.

[SANDEEP V. MARNE, J.]