

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 235 OF 2026

Kumar Agro Products Pvt Ltd

Appellant /
Applicant

.. (Org. Intervener)

Versus

Dr. Mrs. R. Themuras Unwalla
(since deceased) through L.R.
Zarine Dadi Palkhiwala & Ors.

.. Respondents

.....

- Dr. Abhinav Chandrachud a/w Mr. Vinayak Chitale & Ms. Riya Patil
i/by M/s. Parinam Law Associates, Advocates for Appellant
- Mr. Shailendra S. Kantekar a/w Mr. R.M. Gogte, Advocates for
Respondents

.....

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 28, 2026

P. C.:

1. Heard Dr. Chandrachud, learned Advocate for Appellant and Mr. Kanetkar, learned Advocate for Respondents

2. In view of the additional affidavit dated 25.04.2026 filed by Petitioner before me, the impugned order dated 21.06.2019 stands set aside with a direction to allow impleadment of Applicant – Company which is a transferee company to be impleaded and substituted in place of the Plaintiff.

3. Dr. Chandrachud has placed before me a copy of the Scheme of Amalgamation and the order which is appended to the A.O. and as per paragraph No. 6 of the said order dated 15.04.2011 passed by this

Court, the aforesaid change is necessitated and is required to be allowed in accordance with law. In that view of the matter, original name of Plaintiff – M/s. Bhavani Peth Properties and Estate Pvt. Ltd. will stand substituted with M/s. Kumar Agro Products Pvt. Ltd. which is the transferee company. Amendment to that effect will be allowed to be carried out by the Trial Court within a period of two weeks from today. Reverification stands dispensed with. Fresh amended cause title shall be served on the Defendants by Advocate for Plaintiff. Needless to state that all contentions of parties are expressly kept open and said change of the name shall not affect and prejudice the Defendants' rights before the Trial Court.

4. With the above directions, impugned order dated 21.06.2019 is set aside. The Application for seeking change of name stands allowed by virtue of this order. All contentions of the parties in the suit proceedings are expressly kept open.

5. Appeal from Order is disposed. Pending Interim Application, if any, is disposed.

[MILIND N. JADHAV, J.]

Amberkar

Digitally signed
by RAVINDRA
MOHAN
AMBERKAR
Date:
2026.04.28
18:18:39 +0530