

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 433 OF 2019
IN
FIRST APPEAL NO. 915 OF 2001
WITH
INTERIM APPLICATION NO. 437 OF 2019
IN
FIRST APPEAL NO. 915 OF 2001
WITH
INTERIM APPLICATION NO. 438 OF 2019
IN
FIRST APPEAL NO. 915 OF 2001
WITH
INTERIM APPLICATION NO. 440 OF 2019
IN
FIRST APPEAL NO. 915 OF 2001**

**Ramavadh Sumarin Yadav and Ors. ... Applicants/Appellants
V/s.**

**Maharashtra Housing and Area
Development Authority and Anr. ... Respondents**

**WITH
INTERIM APPLICATION NO. 1590 OF 2024
IN
FIRST APPEAL NO. 915 OF 2001**

**Lalji Sitaram Yadav (deceased) through
LRs. Amrita wd/o. Lalji Yadav and Ors. ... Applicants/Appellants
V/s.**

**Maharashtra Housing and Area
Development Authority and Anr. ... Respondents**

**Mr. Surya Das i/b. R.R. Sharma for the Applicants/Appellants
Ms. Kashvi Ail i/b. Rajesh Kachare for Respondents no.2
Ms. Rashmi S. Tendulkar, AGP for Respondent - State**

CORAM : FARHAN P. DUBASH, J.

DATE : 30th APRIL 2026

P.C. :

INTERIM APPLICATION NOS. 433/2019 WITH 437/2019

1. Interim Application No. 433 of 2019 has been preferred by the Applicant to implead the heirs and legal representatives of Respondent no.2 who is stated to have passed away on 13th December 2013.
2. Interim Application No. 437 of 2019 has been filed by the Applicant seeking condonation of delay of 5 years, 8 months and 25 days in filing Interim Application No. 433 of 2019 and for bringing the heirs and legal representatives of deceased Respondent no.2 on record.
3. This Court has perused the contents of both the Interim Applications and is satisfied with the reasons set out therein.
4. Considering this, in the fitness of things, Interim Application No.437 of 2019 is allowed in terms of prayer clauses (a) and (b) and Interim Application No. 433 of 2019 is also allowed in terms of prayer clauses (a) and (b).

5. The Appellants are permitted to carry out the amendment and implead the proposed Respondents as Respondent nos. 2(a), 2(b) and 2(c) in the First Appeal in place and stead of Respondent no.2. This amendment shall be carried out, on or before 2nd June 2026. A copy of the amended First Appeal shall thereafter be served on the newly added Respondents on or before the next date and an Affidavit-of-Service to that effect shall also be filed.
6. Both the Interim Applications are disposed of in terms of the above order with no order as to costs.

INTERIM APPLICATION NOS. 438/2019 WITH 440/2019

7. Interim Application No. 438 of 2019 has been preferred by the Applicant for impleading the heirs and legal representatives of Appellant no.2 who is stated to have passed away on 4th January 2012.
8. Interim Application No.440 of 2019 has been filed by the Appellant seeking condonation of delay of 7 years, 8 months and 25 days in preferring Interim Application No.438 of 2019.
9. This Court has perused the contents of both the Interim Applications and is satisfied with the reasons set out therein.

10. Considering this, in the fitness of things, Interim Application No.440 of 2019 is allowed in terms of prayer clauses (a) and Interim Application No. 438 of 2019 is allowed in terms of prayer clauses (a) and (b).
11. The Appellants are permitted to carry out the amendment and substitute the proposed Appellants as Appellant nos. 2(a) and 2(b) in the First Appeal in place and stead of Appellant no.2. This amendment shall be carried out, on or before 2nd June 2026. A copy of the amended First Appeal shall thereafter be served on the newly added Respondents on or before the next date and an Affidavit-of-Service to that effect shall also be filed.
12. Both the Interim Applications are disposed of in terms of the above order with no order as to costs.

INTERIM APPLICATION NOS. 1590/2024

13. Interim Application No.1590 of 2024 has been preferred by the Applicant for bringing the heirs and legal representative of Appellant no.3 who has passed away on 14th September 2021 and for condonation of delay of 992 days in preferring the said Interim Application.

14. This Court has perused the contents of the Interim Application and is satisfied with the reasons set out therein.
15. Considering this, in the fitness of things, Interim Application No.1590 of 2024 is allowed in terms of prayer clauses (a), (b) and (c).
16. The Appellants are permitted to carry out the amendment and substitute the proposed Appellants as Appellant nos. 3(a), 3(b) and 3(c) in the First Appeal in place and stead of Appellant no.3. This amendment shall be carried out, on or before 2nd June 2026. A copy of the amended First Appeal shall thereafter be served on the newly added Respondents on or before the next date and an Affidavit-of-Service to that effect shall also be filed.
17. The Interim Application is disposed of in terms of the above order with no order as to costs.
18. Place the First Appeal on **18th June 2026**.

(FARHAN P. DUBASH, J.)

Jyoti Pawar

