

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

**INTERIM APPLICATION NO. 6855 OF 2024
IN
FIRST APPEAL NO. 2157 OF 2008**

**Thankachan K.M. (deceased) through
Lrs. 1.1 Biju Thankachan Mathal & Anr. ... Applicant/Appellant**
V/s.

The Municipal Corporation of Gr. Mumbai & Ors. ... Respondents

**Mr. R.C. Mishra for the Applicant/Appellant
Ms. Neeta Jadhav i/b. Komal Punjabi for Respondent - BMC**

CORAM : FARHAN P. DUBASH, J.

DATE : 23rd FEBRUARY 2026

P.C. :

1. The present Interim Application seeks impleadment of the Respondent as proposed Appellant no.1A in place and stead of Original Appellant no.1 who is stated to have expired on 20th April 2021.
2. For the reasons set out in the present Interim Application, this Court is satisfied that the delay of 953 days in filing the present Interim Application is required to be condoned.
3. Accordingly, the following order is passed :-

: ORDER :

- (i) Delay of 953 days in filing the present Interim Application is condoned.
- (ii) The Applicant is permitted to implead Respondent – Mr. Biju Thankachan Mathal as Appellant no.1A in place and stead of Original Appellant no.1. This amendment shall be carried out on or before 9th March 2026.
- (iii) Re-verification is dispensed with.
- (iv) A copy of the amended First Appeal shall, thereafter, be served on the Respondent, on or before 18th March 2026.
- (v) Interim Application is disposed of in terms of the above order.

4. Place the First Appeal for consideration on 6th April 2026.

(FARHAN P. DUBASH, J.)

Jyoti Pawar

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