



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL REVISION APPLICATION NO.8 OF 2026**

Vijay Pandurang Shelke and Ors. ... Applicants
versus
M/s. Kunj Horticulture and Real Estate
Developers and Ors. ... Respondents

Mr. Drupad S. Patil with Mr. M.R.Barve, Mr. Namit Pansare, for Applicants.
Ms. Akshata Patwari with Mr. Ajay Gadegaonkar, Mr. P.S.Gondalekar, for
Respondent No.1.

CORAM: N.J.JAMADAR, J.

DATE : 28 JANUARY 2026

P.C.

1. Heard the learned Counsel for the parties.
2. The challenge in this application is to an order dated 14 November 2025 passed by the learned Civil Judge in Special Darkhast No.207 of 2006, whereby the application preferred by the applicants – judgment debtors to dismiss the the said Darkhast on the ground that the decree for specific performance for sale of the property has become inexecutable as the firm stood dissolved upon death of one of the partners, came to be rejected.
3. The substratum of the application was that, there were only two partners of the firm and one of the partners, namely, Upendra Bhimjibhai Badyani had passed away on 24 May 2016. Thus, the firm stood dissolved by operation of law.
4. Learned Counsel for the Respondents invited attention of the Court to

an extract of the Firm Registration Certificate issued by the Deputy Registrar of Firms, Pune, which indicates that Panna Upendra Badiani had joined the firm as the new partner with effect from 29 December 2014. The intimation about the said change in the constitution of the Firm was given on 7 May 2015. However, the Registrar made an entry in the Register on 31 December 2025.

5. In view of the aforesaid development, which was not apparently brought to the notice of the executing Court, the very substratum of the application for dismissal of the execution petition gets dismantled.

6. Thus, the Civil Revision Application stands dismissed.

(N.J.JAMADAR, J.)