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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 13349 OF 2025
WITH
INTERIM APPLICATION NO. 13350 OF 2025
IN
SECOND APPEAL NO. 1177 OF 2004**

Mr. Mahesh Bhosale ... Applicant

IN THE MATTER BETWEEN

Shri Babu Balku Bhosale and Anr ... Appellants

vs.

Arun Shankar Bhosale ... Respondent

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signed by
VARSHA
VIJAY
RAJGURU
Date:
2026.05.08
14:00:01
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Mr. Mahadji V. Phalke for the Applicant

Mr. Nikhil M. Pujari i/b. Mr. P.N. Joshi for the Respondent.

CORAM : GAURI GODSE, J.

DATED : 6th MAY 2026

ORDER:

**INTERIM APPLICATION NO. 13349 OF 2025 AND INTERIM
APPLICATION NO. 13350 OF 2025.**

1. Learned counsel for the applicant submits that the second appeal was dismissed for non prosecution on 31st January 2024 as none had appeared for the appellants. He submits that since both the appellants have expired, these applications by the heirs and

legal representatives of the appellants for restoration of the second appeal and impleading them as party appellants in place of the deceased appellants.

2. I have perused the applications. In view of the reasons stated in the applications, it is allowed in terms of prayer clause (a), (b), (c) and (e).

3. Amendment to be carried out within four weeks.

4. Both the interim applications are allowed in the aforesaid terms.

5. Learned advocate for the appellants shall file the private paper book within eight weeks from today. After the private paper book is filed, office shall add the second appeal to the weekly final hearing board.

(GAURI GODSE, J.)