

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 38812 OF 2025
IN
WRIT PETITION NO. 2711 OF 2025

Kamalabai Shrihari Jagtap Alias Sou Kamalabai ..Applicant
Raghunath Suryavanshi

In the matter between

Kamalabai Shrihari Jagtap Alias Sou Kamalabai ...Petitioners
Raghunath Suryavanshi And Ors

Versus

Amrutsa Rakhmasa Kshatriya ...Respondent

Mr. Parag Tilak, for the Applicant.

Mr. Rahul Motkari, for Respondent Nos. 1(b) and 1(c).

CORAM: N. J. JAMADAR, J.

DATE : 28th APRIL 2026

P.C.:

INTERIM APPLICATION NO. 38812 OF 2025:

1. Heard the learned Counsel for the parties.
2. This is an Application to bring the legal representatives of deceased-Respondent who passed away on 1st February 2024.
3. The Applicant has filed Affidavit of Service to the effect that Respondent Nos. 1(c) and 1(e), the proposed legal representatives of deceased Respondent, have been served.

4. By an order dated 24th February 2026, Respondent Nos. 1(a), 1(b) and 1(d) were permitted to be served through the Advocate who appears for the Respondent before the Executing Court.
5. Mr. Tilak, the learned Counsel, submitted that Respondent Nos. 1(a), 1(b) and 1(d) have been duly served.
6. Mr. Motkari, the learned Counsel, waives service of notice for Respondent Nos. 1(b) and 1(c) and undertakes to file Vakalatnama on behalf of Respondent Nos. 1(b) and 1(c).
7. None appears for the rest of the Respondents.
8. Having perused the Application for condonation of delay in filing this Application, this Court finds that sufficient cause is ascribed for the delay in filing the Application to bring the legal representatives of the deceased-Respondent on record.
9. The Interim Application stands allowed in terms of prayer clauses (a) and (b) and (c).

WRIT PETITION NO. 2711 OF 2025:

10. Petitioners are permitted to amend the Petition to bring the legal representatives of deceased-Respondent on record. Necessary amendment be carried out forthwith.
11. Issue notice to the proposed Respondent Nos. 1(a) to 1(e) returnable on 16th June 2026.

12. Mr. Motkari, the learned Counsel, waives service of notice for Respondent Nos. 1(b) and 1(c).

13. In addition to notice through Court, the Petitioners are at liberty to serve Respondent Nos. 1(a), 1(d) and 1(e) by private service and file an Affidavit of Service.

14. Stand over to 16th June 2026.

[N. J. JAMADAR, J.]