

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO. 2381 OF 2008

Smt. Janabai Dilip Kale ... Appellant
V/s.
Tata Engineering & Locomotive Co. Ltd. & Ors. ... Respondents

WITH
INTERIM APPLICATION NO. 38848 OF 2025
WITH
INTERIM APPLICATION NO. 38847 OF 2025
IN
FIRST APPEAL NO. 2381 OF 2008

Smt. Janabai Dilip Kale ... Applicant
V/s.
Tata Engineering & Locomotive Co. Ltd. & Ors. ... Respondents

Mr. Rahul S. Kate for the Appellant/Applicant.
Ms. Urmila Sanil, (through VC), for the Respondent.

CORAM : FARHAN P. DUBASH, J.

DATE : 2nd APRIL 2026

P. C.:

INTERIM APPLICATION NO. 38847 OF 2025

1. The Interim Application has been preferred by the Applicant, who is the Original Appellant. By this Interim Application, she seeks to bring on record the heirs and legal representatives of the deceased Respondent no. 5, who is stated to have passed away on 24th December 2021. Having perused the averments made in the Interim Application, this Court is satisfied with the same and is of the view that the delay in taking out the present

Interim Application is required to be condoned and accordingly, the following order is passed:-

::ORDER::

- (i) Delay of 3 years and 8 months in filing the Interim Application is condoned.
- (ii) Applicant is permitted to implead Kisan Ramchandra Kale as proposed Respondent no. 5(a) in place and stead of deceased Respondent no. 5 after deleting her name.
- (iii) Amendment shall be carried out on or before 15th April 2026. Re-verification is dispensed with.
- (iv) Interim Application is disposed of with no order as to costs.

INTERIM APPLICATION NO. 38848 OF 2025

2. The Interim Application has been preferred by the Applicant, who is the Original Appellant. By this Interim Application she seeks to bring on record the heirs and legal representatives of the deceased Respondent no. 4, who is stated to have passed away on 22nd April 2024. Having perused the averments made in the Interim Application, this Court is satisfied with the same and is of the view that the delay in taking out the present Interim Application is required to be condoned and accordingly, the following order is passed:-

::ORDER::

- (i) Delay of 21 years and 7 months in filing the Interim Application is condoned.
 - (ii) Applicant is permitted to implead Kisan Ramchandra Kale as proposed Respondent no. 4(a) in place and stead of deceased Respondent no. 5 after deleting her name.
 - (iii) Amendment shall be carried out on or before 15th April 2026. Re-verification is dispensed with.
 - (iv) Interim Application is disposed of with no order as to costs.
3. Copies of the amended First Appeal shall be served on all the Respondents including the newly added Respondents and an Affidavit-of-Service to that effect shall be filed on or before the next date.
4. Stand over to 12th June 2026.

(FARHAN P. DUBASH, J.)

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