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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.2288 OF 2026
IN
FIRST APPEAL NO.723 OF 2015

JITENDRA
SHANKAR
NIJASURE

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Date: 2026.04.01
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Karmaveer Kakasaheb Wagh & Ors.

**...Applicants /
Appellants**

Versus

Heerabai Hansraj Surjee Trust & Ors.

...Respondents

Mr. Kayval Prafulla Shah for the Applicants.

Mr. A.R. Patil, Addl. G.P. for Respondent – State.

Rishikesh R. Soni, i/b. V.R. Kasle for Respondent No.5.

**CORAM : R.I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATE : 27TH MARCH, 2026

ORDER :

1. By this Interim Application, the Applicants/Appellants have sought for permission to amend the cause title of the First Appeal to bring on record the new Trustees of the Appellant Trust as per the schedule annexed to the Interim Application.

2. The Applicants state that the Original Appellant No.2 passed away on 6th February, 2022. The change was reported to the Office of the Deputy Charity Commissioner vide Change Report No.992 of 2022 and had been accepted vide Order dated 7th September, 2023. Thereafter, the original Appellant Nos.3 and 4 were removed from the Board of Trustees and change was reported to the Office of the Deputy Charity Commissioner under Change Report No.1419 of 2016. The Change Report has been accepted vide Order dated 7th September, 2023.

3. The Applicants have provided the details of the new Trustees who have been added to the Board of Trustees of Appellant No.1 Trust. Further, the Applicants have referred to the Change Report No.992 of 2022 along with Order dated 7th September, 2023 by which the Trustees have been added on the Board of Trustees. This Change Report has been accepted vide Order dated 7th September, 2023.

4. The Applicants have accordingly sought for the amendment to the cause title of the First Appeal for adding the new Trustees of the Appellant Trust described in Paragraph 5 of the

Interim Application.

5. Mr. Soni, the learned Counsel for the Respondent No.5 has no objection to the relief sought.

6. In view thereof, Interim Application is allowed. The Applicants are permitted to amend the cause title of the First Appeal by bringing on record the new Trustees of the Appellant – Trust. The Applicants shall carry out the amendment as per the schedule annexed to the Interim Application within a period of two weeks from today. The consequential amendments are permitted to be carried out by the Respondent No.5 herein in the cross Appeal.

7. The amended First Appeal shall be served by the Applicants / Appellants on the Respondents.

8. Interim Application is accordingly disposed of with no order as to costs.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA J.]