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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 989 OF 2004
WITH
INTERIM APPLICATION (ST) NO. 8090 OF 2026
INTERIM APPLICATION (ST) NO. 39635 OF 2025
INTERIM APPLICATION NO. 2872 OF 2026**

Namdeo Kondaji Kumbhar and ... Appellants/Applicants
Others

Vs.

Govind Kisan Awari and Others... Respondents

Ms. Sayanthani Mitra i/b. Res Juris for the Appellant.

Mr. Pratik B. Rahade i/b. Mr. P. N. Joshi for the Respondents.

CORAM : GAURI GODSE, J.

DATE : 18th APRIL 2026

ORDER :

1. Learned counsel for the applicants seeks time and she has appeared without any papers of the second appeal. With the assistance of the learned counsel for the respondents I have perused the applications.

Interim Application No. 2872 of 2026

2. This interim application is for bringing on record names of heirs and legal representatives of deceased appellant

no. 2. There is no serious objection to the reasons stated in the application for condonation of delay.

3. In the facts and circumstances of the case, delay is condoned and the application is allowed in terms of prayer clause (a) and (c). Abatement, if any, is set aside. Amendment to be carried out within four weeks.

Interim Application (St) No. 8090 of 2026

4. This interim application is for bringing on record names of heirs and legal representatives of deceased appellant no. 3. There is no serious objection to the reasons stated in the application for condonation of delay.

5. In the facts and circumstances of the case, delay is condoned and the application is allowed in terms of prayer clause (a) and (c). Abatement, if any, is set aside. Amendment to be carried out within four weeks.

Interim Application (St) No. 39635 of 2025

6. This interim application is for bringing on record names of heirs and legal representatives of deceased appellant no. 1. There is no serious objection to the reasons stated in the application for condonation of delay.

7. In the facts and circumstances of the case, delay is condoned and the application is allowed in terms of prayer clause (a) and (c). Abatement, if any, is set aside. Amendment to be carried out within four weeks.

Second Appeal No. 989 of 2004

8. Office shall verify whether the second appeal is ready for final hearing. If it is ready for final hearing, office shall add the second appeal to the weekly final hearing board commencing from 22nd June 2026.

9. Learned advocate for the appellants shall file amended memo of the second appeal on the record within six weeks and also serve a copy on the learned advocate for the respondents.

[GAURI GODSE, J.]