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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 3017 OF 2026
IN
FIRST APPEAL NO. 1101 OF 2008

Aashish Vinod Pitale & Ors. .. Applicants

In the matter between

Vinod Chandrakant Pitale (Deceased) thr. LRs.

1.1 Aashish Vinod Pitale & Ors. .. Appellants

V/s.

Tanaji Shivram Kothawale & Ors. .. Respondents

Ms. Nehaa Shah for Applicants.

Mr. Mukesh Subramaniam a/w. Ms. Vritika Valecha for Respondent nos. 1 to 3.

CORAM : FARHAN P. DUBASH, J.

DATE : 18th APRIL 2026

P. C.:

INTERIM APPLICATION NO. 3017 OF 2026

1. The present Interim Application seeks deletion of Appellant no. 1 from the array of parties and to bring his heirs and legal representatives on record. Appellant no. 1 is stated to have passed away on 10th February 2025, leaving behind him proposed Appellant nos. 1A, 1B and 1C, as per the details more particularly set out in paragraph 7 of the present Interim Application.

2. This Court is satisfied with the reasons set out for condoning the delay in filing the present Interim Application and accordingly the same is

allowed in terms of the following order :

:: ORDER ::

(i) The delay in filing the present Interim Application is hereby condoned.

(ii) The Applicants are permitted to implead themselves in place of deceased Appellant no.1. This amendment shall be carried out, on or before 24th April 2026. Reverification is dispensed with.

(iii) A copy of the amended Appeal shall thereafter be served on all the parties before 30th April 2026.

(iv) The present Interim Application is disposed of in terms of the above order with no order as to costs.

CIVIL APPLICATION NO. 4861 OF 2008

3. Despite Civil Application no. 4861 of 2008 being filed on 15th September 2008, the same appears to have remained unnoticed on the record of this Court. This Civil Application seeks deletion of Respondent no. 1 who is stated to have passed away on 3rd December 2007 and impleadment of his heirs and legal representatives in his place and stead.

4. Mr. Mukesh Subramaniam, learned Counsel who appears on behalf of the Respondents consents to this Civil Application being allowed

and accordingly, the present Civil Application is allowed in terms of the prayer clauses 'a' and 'b'. Such amendment shall be carried out, on or before 24th April 2026. A copy of the amended First Appeal shall be served on all the parties including the newly added parties, on or before 30th April 2026.

5. The present Civil Application is disposed of in terms of the above order with no order as to costs.

FIRST APPEAL NO. 1101 of 2008

6. Mr. Mukesh Subramaniam, states that Respondent no. 4 – Mr. Arun Yashwant Tamhane has passed away, which fact has already been recorded in an order dated 14th March 2018. Despite this, no steps have been taken by the Appellants pursuant thereto.

7. Ms. Nehaa Shah, learned Counsel who appears on behalf of the Appellant states that her client will forthwith take the necessary steps and move the matter accordingly.

(FARHAN P. DUBASH, J.)

Ajay Jadhav