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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INTERIM APPLICATION NO. 4931 OF 2025

IN

SUIT NO. 506 OF 2023

Rajkumar Ramchandra Mishra .. Applicant/Plaintiff
V/s.
Suresh Ramchandra Mishra & Ors. .. Defendants

WITH

COURT RECEIVER REPORT NO. 542 OF 2025

WITH

INTERIM APPLICATION NO. 8182 OF 2025

IN

SUIT NO. 506 OF 2023

Ms. Pooja Pandey for Plaintiff.
Ms. Dipti Baniya for Defendants.
Ms. Nandini Y. Deshpande, 1st Assistant to Court Receiver.

CORAM : FARHAN P. DUBASH, J.

DATE : 4th MAY 2026

P.C.:

INTERIM APPLICATION NO. 4931 OF 2025

1. The present Interim Application seeks to bring on record the heir and legal representative of the deceased – Defendant no. 1, who is stated to have passed away on 15th February 2025. There is also a prayer which seeks condonation of delay of 66 days in filing the present Interim Application.

2. For the reasons set out in the Interim Application, this Court is satisfied and is inclined to condone the said delay and allow the present Interim Application. Accordingly, the following order is passed:

ORDER

- (i) The delay of 66 days in taking out the present Interim Application is condoned.
- (ii) The abatement of the suit against Defendant no. 1 is set aside.
- (iii) The Applicant is permitted to delete the name of Defendant no. 1 and add the name of the Respondent as party Defendant no. 1(a) in his place, as per the Schedule of Amendment annexed to the present Interim Application.
- (iv) This amendment shall be carried out forthwith during the course of the day.
- (v) Re-verification is dispensed with.
- (vi) The Interim Application is disposed of in terms of the above, with no order as to costs.

INTERIM APPLICATION NO. 8182 OF 2025

3. The present Interim Application seeks to bring on record the heirs

and legal representatives of the deceased – Defendant no. 3 who is stated to have passed away on 24th September 2025.

4. For the reasons set out in the Interim Application, this Court is satisfied and is inclined to allow the present Interim Application. Accordingly, the following order is passed:

ORDER

- (i) The Applicant is permitted to delete the name of Defendant no. 3 and add the name of the Respondents as party Defendant nos. 3(a) to 3(c) in his place, as per the Schedule of Amendment annexed to the present Interim Application.
 - (ii) This amendment shall be carried out forthwith during the course of the day.
 - (iii) Re-verification is dispensed with.
 - (iv) The Interim Application is disposed of in terms of the above, with no order as to costs.
5. Stand over to **7th May 2026** at 3:00 pm.

(FARHAN P. DUBASH, J.)

Shubham Gadhavepatil