

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

INTERIM APPLICATION NO. 1019 OF 2026
IN
INTERIM APPLICATION NO. 1036 OF 2020
IN
SUIT NO. 438 OF 1951

Shakuntala Nandkumar Pupala and Ors. ... Applicants

IN THE MATTER BETWEEN

Maya Surendra Pupala and Ors. ... Orig. Applicants

V/s

Pratapsingh Narsingrao Pupala ... Plaintiff

V/s.

Pramila Shabaji Pupala and Ors. ... Defendants

Ms. Alpana Ghone a/w. Ms. Archita Gharat a/w. Ms. Meghna Mehta i/b. M/s. Shah & Sanghvi for the Plaintiff

Mr. Yashodhan V. Divekar a/w. Mr. Shubham Jadhav i/b. Divekar & Co. for the Applicants in IA 1019/2026

Ms. Vrushali Kabre for the Defendant nos. 3 to 8

Ms. Nandini Deshpande, 1st Assistant to Court Receiver present in Court

CORAM : FARHAN P. DUBASH, J.

DATE : 8th APRIL 2026

P.C. :

1. Mr. Divekar, learned Counsel who appears on behalf of the Applicants tenders a copy of the Draft amendment by which he seeks to amend the Schedule of the present Interim Application. The draft

amendment is taken on record and marked 'X' for identification and the Applicants are permitted to amend the Schedule in terms of the draft amendment. This amendment shall be carried out forthwith in the course of today.

2. Mr. Divekar, tenders an Affidavit-of-Service dated 2nd April 2026. The same is taken on record. A perusal of this Affidavit reveals that Defendant no.9(b), 9(e)(i)and 9(e)(ii) have now been served. However, despite such service, none appears for Defendants.

3. In the meantime, the Applicants have preferred the present Interim Application seeking to implead themselves in Interim Application No.1036 of 2020 and also in Suit No. 438 of 1951 in place and stead of original Applicant no.4, who is stated to have passed away on 26th October 2025. The Interim Application also seeks deletion of prayer clauses (a) and (b) in Interim Application No.1036 of 2020 and it's substitution with new prayer clauses which are set out in the Schedule of amendments.

4. Upon perusal of the Interim Applications, this Court is satisfied with the reasons set out therein and is of the view that the present Interim Application deserves to be allowed. However, it is made clear that insofar as the deletion of prayer clauses (a) and (b) and their substitution with new prayer clauses is concerned, the rights and contentions of the Plaintiffs is

kept open to be argued and decided by this Court at the time of hearing of the said Interim Application.

5. Accordingly, the Interim Application No.1019 of 2026 is allowed in terms of the following order:-

::ORDER::

(i) The Applicants are permitted to amend the Interim Application No.1036 of 2020 in terms of the Schedule annexed to the present Interim Application. This amendment shall be carried out forthwith and in any event, on or before 15th April 2026.

(ii) Re-verification is dispensed with.

(ii) After the amendment is carried out, a copy of the amended Interim Application shall be served on all the parties including the newly added parties and an Affidavit-of-Service to that effect shall be filed on or before the next date.

(iv) Place the Interim Application No.1036 of 2020 for further consideration on **29th April 2026** on the Supplementary Board.

(FARHAN P. DUBASH, J.)

Jyoti Pawar

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