

varsha

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 517 OF 1995**

Shri Pandurang Tukaram Ghuge and Ors ... Appellants

vs.

Shri Valu Namdeo Ghuge and Ors ... Respondents

WITH

INTERIM APPLICATION NO. 11608 OF 2024

WITH

INTERIM APPLICATION NO. 11610 OF 2024

WITH

INTERIM APPLICATION NO. 11607 OF 2024

WITH

INTERIM APPLICATION NO. 11609 OF 2024

IN

SECOND APPEAL NO. 517 OF 1995

Shri Pandurang Tukaram Ghuge and Ors ... Applicants/Appellants

vs.

Shri Valu Namdeo Ghuge and Ors ... Respondents

WITH

CIVIL APPLICATION NO. 1319 OF 2009

WITH

CIVIL APPLICATION NO. 936 OF 2009

IN

SECOND APPEAL NO. 517 OF 1995

Shri Valu Namdeo Ghuge and Ors ... Applicants/Appellants

vs.

Shri Pandurang Tukaram Ghuge and ... Respondents

Ors

Ms. Pratibha Shelake for Applicants in IA/11609/24, IA/11607/24, IA/11610/24, IA/11608/24.

Mr. Ashutosh Gavnekar a/w. Mr. Rohit Parab i/b. Mr. C.G. Gavnekar for Respondent Nos. 1 to 5.

Mr. Niranjan Shimpi for Lrs of Respondent No. 6- Madhav Kacharu Ghuge Lrs- Respondent Nos. 6(a) to 6(h).

CORAM : GAURI GODSE, J.

DATED : 12th DECEMBER 2024

ORDER:

CIVIL APPLICATION NO. 936 OF 2009

1. This application is filed by respondent nos. 1 to 5 in the second appeal.
2. Issue notice to respondent nos. 18A to 18E, returnable on 13th February 2025.
3. The respective advocates appearing for respondent nos. 1 to 5 and 6(a) to 6(h) waive notice.
4. In addition to Court notice, learned advocate for the applicants to serve the remaining respondents, by private notice and file affidavit of service, before the next date.

CIVIL APPLICATION NO. 1319 OF 2009

5. This application is filed by respondent nos. 1 to 5 in the second appeal. Notice is already issued to respondents. However, notices are unserved.

6. Issue fresh notice to respondent nos. 13A to 13G in the Civil Application. Notice is made returnable on 13th February 2025.

7. The respective advocates appearing for respondent nos. 1 to 5 and 6(a) to 6(h) waive notice.

8. In addition to Court notice, learned advocate for the applicants to serve the remaining respondents, by private notice and file affidavit of service, before the next date.

INTERIM APPLICATION NO. 11608 OF 2024

9. Issue notice to the respondents, returnable on 13th February 2025.

10. The respective advocates appearing for respondent nos. 1 to 5 and 6(a) to 6(h) waive notice.

11. Office is directed to issue notice to the heirs and legal representatives of deceased respondent no. 7 as per the names mentioned in the Civil Application No. 936 of 2009.

12. In addition to Court notice, learned advocate for the applicants to serve the remaining respondents, by private notice and file affidavit of service, before the next date.

INTERIM APPLICATION NO. 11610 OF 2024

13. Issue notice to respondents, returnable on 13th February 2025.

14. The respective advocates appearing for respondent nos. 1 to 5 and 6(a) to 6(h) waive notice.

15. Office is directed to issue notice to the heirs and legal representatives of deceased respondent no. 7 as per the names mentioned in the Civil Application No. 936 of 2009.

16. In addition to Court notice, learned advocate for the applicants to serve the remaining respondents, by private notice and file affidavit of service, before the next date.

INTERIM APPLICATION NO. 11607 OF 2024

17. Issue notice to respondents, returnable on 13th February 2025.

18. The respective advocates appearing for respondent nos. 1 to 5 and 6(a) to 6(h) waive notice.

19. Office is directed to issue notice to the heirs and legal representatives of deceased respondent no. 7 as per the names mentioned in the Civil Application No. 936 of 2009.

20. In addition to Court notice, learned advocate for the applicants to serve the remaining respondents, by private notice and file affidavit of service, before the next date.

INTERIM APPLICATION NO. 11609 OF 2024

21. In the facts and circumstances of the case, interim application is allowed in terms of prayer clause (a).

22. Amendment to be carried out within two weeks.

(GAURI GODSE, J.)