

Sbw

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.3309 OF 2004
IN
FIRST APPEAL NO. 14 OF 1999**

Chottelal Devilal Kotia ... Applicant/Appellant
v/s.
Chhaganlal Devilal Kotia ... Respondent

Mr. Ashwin Bhadang a/w Mr. Aditya Shinde, Mr. Aman Singh Vig
i/by Vesta Legal for the Appellant.

Mr. Pramod Bhosale a/w Ms. Nikita Pawar for the Respondent.

CORAM : KAMAL KHATA, J.

DATED : 26TH NOVEMBER 2025.

P.C. :

1. Learned Advocate for the Applicant submits that there has been a change of Advocate and, accordingly, seeks an adjournment to obtain instructions and take necessary steps for bringing the legal heirs of the Respondent on record.

2. Learned Advocate for the Respondent submits that it is impossible to accept that the Appellant was unaware of the Respondent's demise or of the identity of the legal heirs, particularly when the parties are siblings. He submits that the

Respondent expired in the year 2015, and yet no steps were taken for a period of nine years, rendering the delay is wilful.

3. These contentions shall be considered on the next date.
4. List the matter on 4th December 2025.

(KAMAL KHATA, J.)