

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

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SECOND APPEAL NO. 62 OF 2020
WITH
CIVIL APPLICATION NO. 45 OF 2020
IN
SECOND APPEAL NO. 62 OF 2020

Jaywantabi Pundlik Thorat and others ...Appellants

Versus

Ashok Khanderao Waghchaure and others ...Respondents

WITH
SECOND APPEAL NO. 131 OF 2020
WITH
CIVIL APPLICATION NO. 119 OF 2020
IN
SECOND APPEAL NO. 131 OF 2020

Popat Savaliram Thorat ...Appellants
since deceased through Legal Heirs
1-A. Renukabei Popat Thorat and ors.

Versus

Ashok Khanderao Waghchaure and others ...Respondents

WITH
INTERIM APPLICATION NO. 3600 OF 2023
IN
SECOND APPEAL NO. 131 OF 2020

Popat Savaliram Thorat ...Appellant
since deceased through Legal Heirs
1-A. Renukabei Popat Thorat and ors.

Versus

Ashok Khanderao Waghchaure ...Respondent

Mr. Nikhil M Pujari i/b Mr. P.N. Joshi, for the Appellant in SA/62/2020.
Mr. Prashant D. Patil, for Respondent No.1.

CORAM : SHARMILA U. DESHMUKH, J.

DATE : NOVEMBER 10, 2025

P. C. :

INTERIM APPLICATION NO. 3600 OF 2023

IN

SECOND APPEAL NO. 131 OF 2020

1. The interim application has been preferred for bringing on record the legal heirs of the deceased Respondent No.1. Learned counsel appearing for the proposed Respondent does not oppose the application. Though none appears on behalf of the Applicant, considering the relief sought in the interim application, this Court has considered the same.
2. For the reasons stated in the interim application, the interim application is allowed. The amendment to be carried out within a period of 2 weeks. In the event, the amendment is not carried out within a period of 2 weeks, the Second Appeal to stand dismissed qua the deceased Respondent No.1 without further reference to the Court.
3. The interim application is disposed of.

SECOND APPEAL NO. 62 OF 2020

4. Learned counsel appearing for the Respondent No.1 submits that Respondent No.1 expired on 23/02/2022 and an intimation about the same was given to learned counsel for the Appellant on 23/02/2023.
5. Despite acquiring knowledge of the same, no steps have been taken by learned counsel for the Appellant for bringing on record the legal heirs of the deceased Respondent No.1. Second Appeal stands abated against Respondent No.1.
6. Stand over to 25/11/2025.

[SHARMILA U. DESHMUKH, J.]