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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION  
SECOND APPEAL NO. 484 OF 2018  
WITH  
CIVIL APPLICATION (ST) NO. 12396 OF 2019  
WITH  
CIVIL APPLICATION NO. 1111 OF 2018

Prith Pal Singh Bharana

... Appellant

Vs.

Shri Machindra Chandrakant Kamthe & Others

... Respondents

Mr. Yogesh Patil for the Appellant.

**CORAM : GAURI GODSE, J.**

**DATE : 21<sup>st</sup> AUGUST 2024**

**ORDER:**

**Civil Application (St) No. 12396 of 2019**

1. This application is for bringing on record names of heirs and legal representatives of deceased respondent no. 4. Office remark dated 13<sup>th</sup> June 2024 indicates that notice to respondent nos. 4A to 4F are served. None appears for the respondent to oppose the application.

2. Learned counsel for the appellant submits that respondent no. 4 expired during the pendency of the First Appeal filed by respondent no.1. He submits that it was only when the notice of Second Appeal was returned with a remark that respondent no. 4 has expired, appellant learnt about the same. He further submits that thereafter immediate steps are taken to file this application.

3. For the reasons stated in the application, delay is condoned and application is allowed in terms of prayer clause (a), (b), (c) and (f).

4. Amendment to be carried out in the Second Appeal as well as the Civil Application.

5. After amendment is carried out, office is directed to issue notice of Second Appeal to the added respondent and notice of Civil Application No. 1111 of 2018 to all the respondents.

6. Notice in the Civil Application No. 1111 of 2018 is made returnable on 20<sup>th</sup> November 2024.

7. Civil Application (st) No. 12396 of 2019 is allowed in the aforesaid terms.