

VRJ

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.798 OF 2017
WITH
CIVIL APPLICATION NO.1568 OF 2017

VAIBHAV
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JADHAV

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Dinkar Mahadu Mali ... Appellant

V/s.

Tatoba Kisan Mali
Deceased Through Legal Heirs
Hirabai Tatoba Mali & Ors. ... Respondents

WITH
INTERIM APPLICATION (ST.) NO.13775 OF 2023
IN
SECOND APPEAL NO.798 OF 2017

Dinkar Mahadu Mali
Since Deceased Through LRs.
& Ors. ... Applicants

In the matter between

Dinkar Mahadu Mali
Since Deceased Through LRs.
& Ors. ... Appellants

V/s.

Tatoba Kisan Mali
Deceased Through Legal Heirs
Haribai Tatoba Mali & Ors. ... Respondents

Mr. Bhooshan R. Mandlik for the Applicants /
appellants.

Mr. Someshwar M. Wale for respondent Nos.1A, 1B
and 1C.

CORAM : S. G. CHAPALGAONKAR, J.

DATED : NOVEMBER 11, 2025

P.C.:

INTERIM APPLICATION (ST.) NO.13775 OF 2023

1. Heard learned advocates appearing for respective parties.
2. Notice of this application was given to respondents.
3. Office note depicts that notice has been duly served upon respondent Nos.2A to 2D, 3B, 3E, 3F, 4A1 to 4A3, 5A to 5C and 9A.
4. Mr. Wale, appears on behalf of respondent No.1A.
5. Mr. Mandlik, learned advocate appearing for applicants submits that private notice is already served upon other respondents and he would be filing affidavit of service during course of day.
6. In that view of the matter, service is complete.
7. The applicants seek permission to bring on record heirs and legal representatives of sole appellant in second appeal. Death certificate depicts that sole appellant, Dinkar Mahadu Mali, died on 3rd December 2022. Present interim application was verified on 9th February 2023 and presented before this Court in the month of

June. Although, there is marginal delay in filing application, that has been duly explained.

8. In that view of the matter, application is allowed in terms of prayer clause (b). Necessary amendment to be carried out within a period of one week from today.

9. Stand over to **19th November 2025.**

(S. G. CHAPALGAONKAR, J.)