

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.246 OF 2012

WITH

INTERIM APPLICATION (ST) NO.13050 OF 2025

Yeshoda Waman JawaleAppellant

Vs.

Samapat Ganpat JawaleRespondent

Mr. Tanaji V. Mhatugade, for the Appellant.

Mr. Dilip Bodake with Mr. Viraj P. Dhumal, and Mr. Mohsin Khan, for Respondent.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 29th January 2026

PC.:-

1. The Appellant has filed the present Application seeking permission to bring on record the legal heirs of Respondent No.6, who expired on 22nd December 2017. It is the contention of the Appellant that when the matter was listed before this Court on 2nd April 2025, the learned counsel appearing for the Respondents informed the Appellant that Respondent No.6 had passed away. Thereafter, the learned Advocate for Respondent No.6 communicated the said fact by letter dated 3rd April 2025. The Appellant submits

that the delay of about 11 years in filing the present Application is neither deliberate nor intentional.

2. Considering the reasons assigned by the Appellant, the Application deserves to be allowed and is accordingly **allowed**.

3. The Appellant is permitted to bring the legal heirs of Respondent No.6 on record.

4. Issue notice to the proposed legal heirs of Respondent No.6, returnable on **12th February 2026**.

5. Amendment shall be carried out within a period of two weeks.

6. Interim relief, if any, granted earlier shall continue till then.

(MRS. VRUSHALI V. JOSHI, J.)