

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
APPELLATE CIVIL JURISDICTION  
CIVIL APPLICATION NO.1244 OF 21019  
in  
FIRST APPEAL NO.1870 OF 2008**

Madhusudan S Poddar

.. Applicant

**IN THE MATTER BETWEEN**

Madhusudaan S.Poddar

.. Orig.Applicant

VS

Shreeprakash Poddar & ors

.. Respondents

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Mr P.J.Thorat with Mr.P.B.Gujar, Mr.M.S.Poddar for Applicant  
Mr.S.Periastav for Respondent nos.1,3 and 4.

***CORAM : K.K.TATED, J***

***DATE : 29th MARCH, 2019***

P.C

Not on board. At the request of learned counsel for the applicant, matter is taken on board.

2. Heard learned counsel for the parties.

3. By this Civil Application, the applicant seeks permission to add the opponent as respondent no.5 in First Appeal No.1870 of 2008.

4. Learned counsel Mr.Periastav appearing for the respondents submits that they have no objection in allowing the present Civil Application. He further submits that he has received instructions from the proposed respondents to file vakalatnama in the present First Appeal. He undertakes to file vakalatnama on behalf of opponent no.5 within two weeks from today. Same is accepted.

5. Considering the submissions made by the learned counsel for the applicant and averments made in the Civil Application and as the learned advocate for the Respondents has no objection, following order is passed:

O R D E R

(i) Civil Application is allowed in terms of prayer clause (a) which reads thus:

“(a) That by an order of this Hon'ble Court the Appellants may be permitted to implead the present Opponent as Respondent no.5 in the First Appeal No.1870 of 2008 by amending the cause title accordingly. “

(ii) Amendment be carried out during the course of the day.

(iii) Advocate Mr.S.Periastav undertakes to file his vakalatnama on behalf of the newly added respondent no.5 in First Appeal no.1870 of 2019 within two weeks from today.

{K.K.TATED, J}