

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 770 OF 2015
IN
SECOND APPEAL NO. 967 OF 2006**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Swapnil Patil i/b S. V. Sadavarte for the applicant.
Mr. Jitendra Gaikwad for respondent nos. 1A to 1C.

**CORAM : K. K. TATED, J.
DATED : 23/10/2015.**

P.C.:

. Heard learned Counsel for the applicant.

2 Though the respondents are duly served, no one appeared on behalf of them when the matter called out.

3 This application is for bringing legal heirs on record of deceased respondent no.1 Shankar Namdeo Sawant, who died on 19.12.2014.

4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing this Civil Application.

5 Hence, following order is passed:

a) Delay in preferring Civil Application is condoned.

b) Abatement is set aside.

c) Applicant is permitted to bring legal heirs on record of deceased respondent no.1 in Second Appeal no. 967/2006 and pending Civil Application if any, within eight weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

d) If amendment is carried out within stipulated time as stated hereinabove, applicant is directed to serve the added respondents in Second Appeal no. 967 of 2006 by private notice either by registered post A.D. and/or by hand delivery and file Affidavit of Service to that effect.

e) Civil application stands disposed off accordingly.

(K.K.TATED, J.)