

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1420 OF 2015
IN
FIRST APPEAL NO.705 OF 2010**

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.Nitin P. Dalvi i/b Mr.Abhaysingh A. Shinde
for the applicant

Mr.Rahul Walvekar for the respondent

CORAM : K.K.TATED, J.
DATED : 07/08/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is preferred by defendants for bringing legal heirs on record of sole appellant Sadashiv Yeshwant Jadhav who died on 1.12.2013.
- 3 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 the present Civil Application. Hence, following order:

(A) Civil Application is allowed in terms of prayer clause (a), (b), (c) and (d) which reads thus:

“a) This Hon'ble Court be pleased to allow the Applicants to bring on record the present Applicants in the present First Appeal as heir and legal representative of deceased sole Appellant namely Sadashiv Yeshwant Jadhav and allow to amend the cause title accordingly;

b) This Hon'ble Court be pleased to condone the delay in filing the present Civil Application for heirs;

c) This Hon'ble Court be pleased to set aside the abatement in respect of deceased Sole Appellant namely Sadashiv Yeshwant Jadhav

d) This Hon'ble Court be pleased to condone the delay in setting aside abatement in respect of deceased Sole Appellant namely Sadashiv Yeshwant Jadhav.”

B) Applicant is permitted to carry out appropriate amendment in First Appeal as well as pending Civil Application if any within four weeks from today.

C) Civil application stands disposed off accordingly.

(K.K.TATED, J.)