

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

CIVIL APPLICATION NO.1423/2013
IN
SECOND APPEAL NO.245/1990

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. Pratap Patil for the Applicant

CORAM : K. K. TATED, J.

DATE : SEPTEMBER 8, 2015

P.C.:

1. Heard. None for the Respondent though duly served.

2. This application is for bringing legal heirs on record of deceased Respondent No.4 Shamrao Govind Panditrao who died on 25/03/2008.

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.

4. Hence, the following order:

a) Civil Application is allowed in terms of prayer clauses (a) to (c) which read thus:

“(a) That the delay of 3 years 9 months in filing present Application be condoned.

(b) The abatement of Second Appeal No.245/1990 and Civil Application No.1085/1995 as against Respondent No.4 be set aside.

(c) The Respondent Nos.4A be brought on record as heir and legal representative of Respondent No.4 and Applicant be permitted to amend title accordingly.”

b) The Applicant to carry out appropriate amendment in the Second Appeal as well as pending Civil Application, if any, within 4 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

c) Civil application stands disposed off accordingly.

JUDGE

CERTIFICATE

Certified to be true and correct copy of the original signed order.