

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 871 OF 2014
IN
SECOND APPEAL NO. 298 OF 1995**

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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Ms. Pratibha Shelke i/b Mr P.J.Thorat,
Advocate for Applicant.

CORAM : R.G.KETKAR,J.

DATE : 10/04/2015

PC:

1. Heard Ms. Pratibha Shelke, learned counsel for the applicant.

2. This is an application for bringing legal representatives of respondent no.3(A), since deceased, on record after condoning delay of 96 days in filing the Application. Respondent no.3 died on 5.12.2013 leaving behind respondents no.3A(i) to 3A(iii).

3. On behalf of respondents, viz. 3A(i) to 3A(iii), reply of Mr Bapu Dagadu Gaikwad is filed opposing the application. It is contended that the present application is taken out after the

prescribed period of limitation and further no case is made out for condoning the delay.

3. After considering the reply filed by the respondents as also for the reasons stated in the application, I am satisfied that the applicant has made out sufficient cause for condoning delay of 96 days in filing the application. Civil Application is allowed in terms of prayer clauses (a), (b) and (c) with no order as to costs.

4. Amendment in the main Appeal shall be carried out within 14 days from today.

(R.G.KETKAR, J.)