

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

CIVIL APPLICATION NO.49/2015
IN
SECOND APPEAL NO.353/2003

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. Ajit Kenjale for the Applicant
Mr. Kirankumar Phakade for the Respondent Nos.1 to 3.

CORAM : K. K. TATED, J.
DATE : SEPTEMBER 8, 2015

P.C.:

1. Heard. This application is made by legal heirs of sole Appellant Shri Anyaba Ganpati Jadhav who died on 18/02/2014.

2. 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.

3. Hence, the following order:

- a) Abatement is set aside.
- b) Delay in making the Civil Application is condoned.

c) The Applicant is permitted to carry out appropriate amendment in Second Appeal as well as Civil Application, if any, by bringing legal heirs on record of deceased Appellant Shri Anyaba Ganpati Jadhav, within 6 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, the Applicant is directed to serve an amended copy of the Second Appeal as well as the Civil Application, if any, on the Respondent or their Advocate, immediately thereafter.

e) Civil application stands disposed off accordingly.

JUDGE

CERTIFICATE

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