

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

**CIVIL APPLICATION NO. 1511 OF 2015
IN
SECOND APPEAL NO. 97 OF 2000**

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. Abhishek Gosavi i/b P. B. Shah for the applicant.
Mr. P. B. Gujar for the respondents.

**CORAM : K. K. TATED, J.
DATED : 28/09/2015.**

P.C.:

- . Heard learned Counsel for the parties.
- 2 This application is for bringing legal heirs on record of deceased Respondent no.3 Laxman Gopala Pawar who died on 11.04.2010.
- 3 The learned Counsel Mr. Gujar submits that he received instructions to appear on behalf of legal heirs of deceased respondent no.3. He further submits that they do not have any objection to allow the present Civil Application by condoning the delay. He further submits that he undertakes to file his vakalatnama on behalf of legal heirs of deceased respondent no.3. Same is accepted.
- 4 Considering the submissions made by learned counsel for the applicant, averments made in civil

application and as there is no objection from the Counsel appearing on behalf of legal heirs of deceased respondent no.3, I am satisfied that applicant has made out the case for allowing the civil application.

5 Hence, following order is passed:

i) Delay in preferring the Civil Application is condoned.

ii) Abatement is set aside.

iii) Applicant is permitted to bring on record the legal heirs of deceased respondent no.3 in Second Appeal as well as pending Civil Application if any, within four weeks from today, failing which Civil Application shall stand dismissed without referring back to the court.

iv) Applicant is directed to serve the amended copy of Second Appeal memo on respondents or their Advocates thereafter immediately.

v) The learned Counsel Mr. Gujar waives service for legal heirs of deceased respondent no.3 in Second Appeal no. 97 of 2000.

vi) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)

CERTIFICATE

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