

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 85 OF 2015
IN
SECOND APPEAL NO. 406 OF 2010

Vithal Narsu Patil and Anr. ... Applicants

vs.

Shamrao Shripati Patil ... Respondent

.....

Mr. P. J. Pawar for the applicants.

Mr. Ganesh Bhujbal i/b Vilasrao B. Jagdale for the respondent.

....

CORAM : K.K. TATED, J.
DATE : 7th OCTOBER, 2015.

P.C.:

Heard the learned counsel for the parties.

2. This Civil Application is for bringing legal heirs on record of deceased-appellant No.2 Pandurang Narsu Patil, who died on 2nd July, 2012.

3. Considering the submissions made by the learned counsel for the applicants and the averments made in the Civil Application, I am satisfied that the applicants have made out a case for allowing the Civil Application. Hence, the following order:

ORDER

- i) Delay in preferring the Civil Application is condoned.
- ii) Abatement is set aside.

iii) The applicants are permitted to bring the legal heirs on record of deceased-appellant No.2 in Second Appeal No.406 of 2010 and pending Civil Applications, if any, within six weeks from today, failing which the Civil Application shall stand dismissed without referring back to the Court.

iv) If amendment is carried out within the stipulated time, as stated hereinabove, the applicants to serve the amended copy of Appeal Memo on the respondent or the respondent's Advocate immediately thereafter.

v) Civil Application is disposed of accordingly.

(K.K. TATED, J.)