

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 84 OF 2015
IN
WRIT PETITION NO. 9118 OF 2014

Smt. Bhagirati Madan Jadhav & Ors. .. Applicants
V/s.
Shri Laxman Kanha Jadhav
since deceased through Lrs
Smt. Gulab Laxman Jadhav & Ors. .. Respondents
...

Mr. Jayesh M. Joshi for Applicants.
Ms. Jui Arvind Nerurkar for respondent Nos. 10 and 12.
Ms. M. S. Bane 'B' Panel Counsel for the Respondent Nos. 15 to 19.

CORAM : A. K. MENON, J.
DATE : OCTOBER 19, 2015.

P.C.:

1] This civil application is taken out to bring on record the heirs of deceased Respondent No. 11, who are respondent Nos. 11.1, 11.2, 11.3 and 11.4 respectively. The applicants were directed to issue notice to the heirs on 17th July 2015 and applicants were directed to serve by private notice. An affidavit of service is said to have been filed, copy of which is tendered. According to the said affidavit the respondents were all served. There is a delay of 2 years and 130 days in taking out the civil application. The learned counsel for the petitioners submits that for want of knowledge of the demise of the petitioner the

petitioner could not bring the heirs earlier and accordingly the delay may be condoned.

2] I am satisfied with the explanation provided in the civil application, so far as condonation of delay is concerned. In the circumstances, I pass the following order.

3] The civil application is made absolute in terms of prayer clause (a) and (b).

4] Amendment to be carried out within a period of two weeks from today and amended copy to be served on all respondents.

5] Mrs. Bane waives service on behalf of respondent Nos. 15 to 19.

(A. K. MENON, J.)