

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 215 OF 2014
IN
SECOND APPEAL NO. 691 OF 2011**

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. A.R.S.Baxi, Advocate for Applicants.

Mr. Prasad Kulkarni i/b Mr P.S.Dani, Advocate for Respondents no.1,2A to 2G.

CORAM : R.G.KETKAR,J.

DATE : 10/04/2015

PC:

1. Heard Ms. A.R.S.Baxi, learned counsel for the applicants and Mr Prasad Kulkarni. learned counsel for respondents no.1,2A to 2G.

2. This is an application for bringing legal representatives of respondent no.4, since deceased, on record. Respondent no.4 died leaving behind respondents no.4.1 to 4.3. Ms. Baxi submitted that respondent no.4 was also respondent no.4 in Civil Appeal No.185 of 2004. She submitted that by order dated 6.8.2004 Appeal proceeded exparte against

respondent no.4, among other respondents and consequently his legal representatives were not brought on record.

3. For the reasons stated in the application and also in view of the fact that respondent no.4 was proceeded ex parte in Appeal Court, I am satisfied that the applicants have made out sufficient cause for condoning the delay. Hence, Civil Application is allowed in terms of prayer clauses (a),(b),(c),(d),(e) with no order as to costs.

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

5. After the Appeal is amended, issue notice to respondents no.4.1 to 4.3, returnable after six weeks.

(R.G.KETKAR, J.)