

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

**CIVIL APPLICATION NO. 903 OF 2014
IN
SECOND APPEAL NO. 364 OF 2009**

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. Ajinkya Palav i/b R.A. Thorat for the applicant.
Mr. P. M. Arjunwadkar for the respondent.

**CORAM : K. K. TATED, J.
DATED : 23/10/2015.**

PC.:

. Heard learned Counsel for the parties.

2 This application is for bringing legal heirs on record of deceased respondent no.2 Abdul Gulamhusen Shaikh, who died on 18.08.2013.

3 The Advocate Mr. P. M. Arjunwadkar submits that he received instructions to appear on behalf of legal heirs.

4 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.

5 Hence, following order:

a) Delay in preferring the Civil Application is condoned.

b) Abatement is set aside.

c) Applicant is permitted to bring legal heirs on record of deceased respondent no.2 in Second Appeal no. 364 of 2009 and pending Civil Applications, if any, within six 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, applicant to serve amended copy of Second Appeal memo on respondents Advocate thereafter immediately.

e) Civil application stands disposed off accordingly.

(K.K.TATED, J.)