

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.340 OF 2010
IN
SECOND APPEAL NO.590 OF 1995**

DR.R.V.SHAH AND ORS.)...APPLICANTS
V/s.
MOHMED AYYUB KASIM ALI (deceased))
AND OTHERS)...RESPONDENTS

Mr.A.L.Patki, Advocate for the Applicant.

Coram: Smt.R.PSondurBaldota, J.

Date : 5th January, 2015.

P.C. :

1 This civil application is taken out for bringing the heirs of respondent no.1 on record. Though the civil application is served upon them, none is present to oppose the application. The death of original respondent no.1 took place on 21st November, 2009. The intimation of death was given by the advocate for original respondent no.1 to the appellant for the first time vide his letter dated 3rd February, 2010. The present civil application has been taken out within a fortnight thereafter. Thus, there is no delay in filing the application.

The civil application is allowed in terms of Prayer Clauses (a) and (b).

(Smt.R.PSondurBaldota, J.)