

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.522 OF 2014

IN

SECOND APPEAL NO.366 OF 2010

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. K.H. Holambe Patil for the Applicant.

Mr. Ashok Pandhire, Advocate i/by Mr.Sanskar Marathe for Respondent Nos. 1 and 2.

CORAM : K.K.TATED,J.

DATE : 15TH SEPTEMBER, 2015.

PC.

Heard learned counsel Mr. Holambe Patil for the applicant and Mr. Marathe for the respondent Nos. 1 and 2. Though the legal heirs of deceased respondent Nos.9 and 19 are duly served, no one appeared on behalf of them when the matter is called out.

2) This application is for bringing the legal heirs on record of deceased respondent No.9 Shantaram Shankar (Hivalekar) Ghadigaonkar. He died on 29.5.2007.

3) Considering the submissions made by the learned counsel for the applicant and the averments made in the civil application, I am satisfied that the applicant has made out a case for allowing the civil

application.

4) Hence, the following order.

ORDER

a) The delay in preferring the civil application is condoned.

b) The applicant is permitted to bring the legal heirs on record of deceased respondent No.9 in Second Appeal No.366/2010 and pending civil application if any within six weeks from today failing which civil application shall stand dismissed without further reference to the court.

c) If amendment is carried out within stipulated time as stated herein above, office is directed to issue notice to added respondents in Second Appeal No. 366/2010.

d) In addition to usual mode of service, applicant is permitted to serve added respondents by private notice either by registered post A.D. and/or by hand delivery and file Affidavit of Service to that effect.

e) Civil Application stands disposed of accordingly.

(K.K.TATED,J.)

CERTIFICATE

Certified to be true and correct copy of the
original signed Judgment/Order.