

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

CIVIL APPLICATION NO.687 OF 2014
IN
APPEAL FROM ORDER NO.567 OF 2014

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. N. J. Patil for the Applicant
Mr. Mahendra Agvekar i/b. Mandar Limaye for the Respondent.

CORAM : K. K. TATED, J.
DATE : MARCH 30, 2015

P.C.:

1. Heard. This application is for bringing legal heirs on record of deceased Respondent No.1 Bhagwan Babu Phadtare who died on 06/10/2014.

2. The learned counsel for the Respondent submits that he received instructions to appear on behalf of the Respondent. He submits that they have no-objection if the Civil Application is allowed.

3. 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.

4. Hence, the following order:

i) Civil Application is allowed in terms of prayer clause (a) to (c) which read thus:

a) In the interest of justice, this Hon'ble Court be pleased to condone the delay of 68 days in filing this Civil Application to bring the heirs and legal representative of deceased BhagwanBabu Phadtare on record.

b) This Hon'ble Court be pleased to set aside the order of abatement, if any.

c) This Hon'ble Court be pleased to allow this Civil Application and the Respondent Nos.1(a) to 1(d) be brought on record as the heirs and legal representatives of the deceased Bhagwan babu Phadtare in the cause title of the appeal memo and Civil Application.

5. The Applicant to carry out amendment within 6 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

6. If amendment is carried out within stipulated time as stated hereinabove, the Applicant to serve an amended copy of the appeal memo on the advocate for the legal heirs within two weeks thereafter.

7. Civil application stands disposed off accordingly.

8. The learned counsel for the Respondent Nos.1A to 1D waives service in the Appeal from Order.

JUDGE