

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

CIVIL APPLICATION NO.1247/2014
IN
SECOND APPEAL (ST) NO.32463/2012

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. Chintan Shah i/b. Mr. Sandesh D. Patil for the Applicant
Mr. Bharat Punekar for the Respondent No.1A to 1D.

CORAM : K. K. TATED, J.
DATE : OCTOBER 13, 2015

P.C.:

1. Heard. None for the other Respondents though duly served.

2. This application is for bringing legal heirs on record of deceased Respondent No.1 Tukaram Gopal Wagh who died on 27/06/2013.

3. The learned counsel for the legal heirs of deceased Respondent No.1 submits that he has no objection if Civil Application is allowed.

4. Considering the submissions made by the learned counsel for the Applicant, the averments

made in the Application and the no objection given by the Advocate for the legal heirs of deceased Respondent No.1, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

5. Hence, the following order:

- a) Delay in making the Civil Application is condoned.
- b) Abatement is set aside.
- c) The Applicant is permitted to bring on record the legal heirs of deceased Respondent No.1 in Second Appeal as well as Civil Application within 6 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, the Applicant is directed to serve an amended copy of the Second Appeal as well as pending Civil Application, if any, on the Advocate for the legal heirs of deceased Respondent No.1 immediately thereafter.
- e) Civil application stands disposed off accordingly.

JUDGE