

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

**CIVIL APPLICATION NO. 423 OF 2015
IN
SECOND APPEAL NO. 346 OF 1994**

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. V. V. Parshuram for the applicant.
None for the respondents.

**CORAM : K. K. TATED, J.
DATED : 09/09/2015.**

P.C.:

- . Heard learned Counsel for the applicant.
- 2 This application is for bringing legal heirs on record of deceased Respondent no.1A Madhumati Narayan Thakur who died on 03.03.2009.
- 3 Though the legal heirs of deceased respondent no.1A are duly served, no one appeared on behalf of them, when the matter called out.
- 4 Considering the submissions made by learned counsel for the applicant and averments made in civil application, I am satisfied that applicant has made out the case for allowing the civil application.
- 5 Hence, the following order is passed:

ORDER

- a) Abatement is set aside.

b) Delay in preferring the Civil Application is condoned.

c) Applicant is permitted to bring legal heirs on record of deceased respondent no.1A in Second Appeal no. 346 of 1994 within six weeks from today, failing which civil application shall stand dismissed without referring back to the court .

d) If amendment is carried out within stipulated time as stated herein above, office is directed to issue notice to the added respondents in second appeal, returnable after twelve weeks.

e) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed order.