

IN THE HIGH COURT OF JUDICATURE AT MUMBAI
 CIVIL APPELLATE JURISDICTION
 CIVIL APPLICATION NO.1433 OF 2014
 IN
 SECOND APPEAL NO.643 OF 1992
 (Krishna Savala Dalvi (decd.) and ors. Vs. Sampat Krishna Kadam and ors.)

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. Pandit Kasar i/b. Mr. P. J. Thorat for Applicants.
 Mr. R. R. Mahagaonkar for Respondent No.1.

CORAM : R. G. KETKAR, J.
DATE : 27TH MARCH, 2015

P.C.:

Heard Mr. Kasar, learned Counsel for applicants and
 Mr. Mahagaonkar, learned Counsel for respondent No.1.

2. This is an application for bringing on record legal representatives of applicant No.1B(c) – Vijaykumar R. Dalvi, since deceased on record. Mr. Kasar submitted that the learned District Judge decided the Appeal on 23.06.1992. Aggrieved by that, Second Appeal No.643 of 1992 was preferred and the same was admitted on 19.11.1992. He submitted that applicant No.1B(c) died on 25.02.2003 leaving behind applicants No.1B(c)(i) to 1B(c)(iii) and the said fact was not within the knowledge of the applicants' Advocate..

3. For the reasons stated in the application, I am satisfied that applicants have made out sufficient cause for condoning

the delay. Hence, Civil Application is allowed in terms of prayer clauses (a) to (c) with no order as to costs, more so when the applicant No.1B(c) has expired after the decision of the District Court. Amendment in the main Appeal shall be carried out within 14 days from today.

(R. G. KETKAR, J.)

Minal Parab