

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

CIVIL APPLICATION NO.2423 OF 2013
IN
FIRST APPEAL NO.2672 OF 2006

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. Nitin Deshpande for the Applicant
None for the Respondent.

CORAM : K. K. TATED, J.
DATE : MARCH 25, 2015

P.C.:

1. Heard the learned counsel for the Applicant.
None for the Respondent though served.

2. This Application is preferred by the Plaintiff for bringing legal heirs on record of deceased Respondent No.5 Smt. Thakubai Namdeo Hande in Civil Application No.3479/2012.

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 clauses (A) to (C) which read thus:

(A) This Hon'ble Court may condone the delay caused in filing this Civil Application.

(B) This Hon'ble Court may permit the Applicant to implead the legal heirs of Smt. Thakubai Namdeo Hande as "party Respondents" to the Civil Application No.3479/2012.

(C) Notice may be issued to the legal heirs of Smt. Thakubai Namdeo Hande by permitting the Applicant to amend the cause title of the Civil Application No.3479/2012.

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

iii) After carrying out appropriate amendment within stipulated time as stated hereinabove, the Office is directed to issue notice to the added Respondent in Civil Application No.3479/2012.

iv) In addition to usual mode of service, the Applicant is directed to serve the Respondent by way of private notice either by RPAD and/or by hand delivery and to file an Affidavit of service to that effect on or before next date in Civil Application No.3479/2012.

v) Civil application stands disposed off accordingly.

JUDGE