

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1584 OF 2015
IN
SECOND APPEAL NO. 239 OF 1996

Ramchandra Laxman Dalvi

Since deceased, through his legal heirs,

1.1 Smt.Sunanda Ramchandra Dalvi ... Applicants

vs.

Harishchandra Krishna Dalvi & Ors. ... Respondents

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Mr.K.J.Presswala i/b Mr.S.M.Sabrad for the Applicants.

Mr.U.P.Bobade i/b Mr.M.S.Karnik for the Respondent Nos.5 and 6.

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CORAM : K.K. TATED, J.

DATE : 07TH OCTOBER, 2015

P.C.:

1. Heard the learned counsel for the parties.

2. This application is preferred by the Defendants for bringing legal heirs on record of Respondent No.7 Sow.Suhasini Keki Shroff who died on 21 August, 2013.

3. Advocate for Applicants submits that her legal heir is already on record i.e. Respondent No.5 Anosh Shroff. He submits that Applicant may be permitted to delete the name of Respondent No.7 and allow them to treat Respondent No.5 as a legal heir of deceased Respondent No.7.

4. The learned counsel Mr.Bobade appearing on behalf of the Respondent No.5 and 6 submits that they have no objection if the Civil Application is allowed.

5. Considering the submissions made by the learned counsel appearing for the Appellant, averments made in Civil Application and as the advocate for Respondent Nos.5 and 6 have no objection, I am satisfied that the Applicants has made out a case for allowing this Civil Application. Hence following order;

- (a) Delay in preferring Civil Application condoned.
- (b) Applicant is permitted to delete the name of Respondent No.7 from cause title of Second Appeal No.239 of 1996 and pending Civil Application, if any.
- (c) Amendment to be carried out within six weeks from today.
- (d) Amended copy of Memo of Second Appeal to be served on Respondents thereafter immediately.
- (e) Civil Application stands disposed of accordingly.

(K.K. TATED, J.)

CERTIFICATE

Certified to be true and correct copy of the
original signed Judgment/Order.