

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.1252 OF 2015
IN
SECOND APPEAL NO.1107 OF 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.Dilip Bodake for the applicant

Mr.Nilesh Zalte i/b Mr.G.R.Agrawal for the respondent nos.1, 2A and 2B

CORAM : K.K.TATED, J.
DATED : 23/09/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is for bringing legal heirs on record of deceased appellant no.1B(3), Vasanti Ramchandra Jangam, who died on 27.2.2015.
- 3 Advocate for the applicant submits that her legal heirs are already on record as appellant.
- 4 Considering the submissions made by the learned counsel for the applicant and the averments made in Civil Application, I am satisfied that the applicant has made out a case for allowing Civil Application. Hence, following order is passed:

A) Civil Application is allowed in terms of prayer clause (a), (b) and (c) which reads thus:

“(a) This Hon'ble Court be pleased to allow the Applicants formally to bring on record the present Applicant Nos.1B(1) and 1B(2) in the present Second Appeal as heir and legal representative of deceased Appellant No.1B(3) namely Vasanti Ramchandra Jangam in the array of Second Appeal and Civil Application and allow to delete the name of deceased Appellant No.1B(3) and amend the cause title accordingly.

(b) This Hon'ble Court be pleased to condone the 56 days delay in filing the present Civil Application for heirs and setting aside abatement, if any.

(c) This Hon'ble Court be pleased to set aside the abatement if any in respect of death of Appellant No.1B(3) namely Vasanti Ramchandra Jangam.”

B) Applicant to carry out appropriate amendment within four weeks from today and serve amended copy on the other side.

C) Civil Application is disposed of accordingly.

(K.K.TATED, J.)

CERTIFICATE

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