

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

CIVIL APPLICATION NO.2701 OF 2014
IN
FIRST APPEAL NO.81 OF 2012

M/s.A.R.Constructions.Applicant.
vs.
Gokul V.Jagtap and anr. ...Respondents.

Mr.A.R.Pande for the Applicant.
Mr. Vinod Mahadik for the BMC.
Mr. V.B.Tapkir for Respondent No.1.

CORAM : K.K.TATED, J.
DATE : 23/1/2015

PC:

Heard the learned Counsel for the parties. This application is preferred by defendant No.2 for bringing legal heirs on record of deceased respondent No.1 Gokul Vishnu Jagtap who died on 30/4/2014.

Learned Counsel Mr. Tapkir for respondent No.1(a) to(c) submits that he received instructions to appear on behalf of Legal heirs of deceased respondent No.1.

3) Considering the submissions made by the learned Counsel for the applicant and the averments made in the civil application I am satisfied that the applicant has made out case. Hence, following order.

a) Applicant is permitted to bring the legal heirs on record of

deceased Gokul Vishnu Jagtap in First Appeal and the pending civil applications, if any, within two weeks from today failing which civil application shall stand dismissed without referring back to the court.

b) If amendment is carried out as stated above, the applicant is directed to serve the amended copies of the appeal and the applications on all the respondents including added respondents.

c) Mr. Tapkir Advocate for respondent No.1(a) to (c) undertakes to file his Vakilpatra within two weeks from today.

d) Civil Application disposed of accordingly.

(K.K. TATED, J.)