

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

**CIVIL APPLICATION NO.25 OF 2015
IN
SECOND APPEAL NO.807 OF 2002**

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.K.Y.Mandlik for the applicant

None for the respondent

CORAM : K.K.TATED, J.
DATED : 02/09/2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 Though respondents are duly served, no one appeared on behalf of the parties when the matter was called out.
- 3 This application is preferred by legal heirs of deceased sole appellant Thakaji Raghuji Bhoir who died on 18.12.2013.
- 4 Office note shows that Civil Application stands dismissed against respondent no.1A, Smt.Zumberabai Dwarku Bhoir as per the order dated 4.8.2015 passed by learned Registrar (Judicial-II).
- 5 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. Hence, following order:

- a) Delay in preferring Civil Application is condoned.
- b) Applicant is permitted to bring legal heirs on record of deceased sole appellant, Thakaji Raghuji Bhoir in Second Appeal No.807 of 2002 within 8 weeks from today, failing which Civil Application shall stand dismissed without referring back to the court.
- c) If amendment is carried out within stipulated time as stated hereinabove, applicant to serve the amended copy of Appeal Memo on respondent or their Advocate thereafter.
- d) Civil application stands disposed off accordingly.

(K.K.TATED, J.)