

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

**CIVIL APPLICATION NO.378 OF 2015
IN
SECOND APPEAL NO.242 OF 2009**

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.Swapnil Patil i/b Mr.S.V.Sadavarte for the applicant

Ms.Lalita Panchakshari for the respondent no.1

CORAM : K.K.TATED, J.
DATED : 09/10/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is for bringing legal heirs on record of deceased appellant no.1 Laxmibai Eknath Nangude who died on 31.12.2012.
- 3 The learned counsel for the applicant submits that legal heirs are already on record as applicants. They may be permitted to treat them as legal heirs of deceased applicant no.1.
- 4 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) Civil Application is allowed in terms of prayer clause (b) and (c) which read thus:

“(b) Delay of 153 days occurred it may be condoned.

(c) The Applicant No.2 to 7 who are already on record also be formally brought on record in capacity of the legal heirs of Lakshmibai Nangude.”

B) The Applicants are directed to carry out appropriate amendment within six weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

C) If amendment is carried out within stipulated time as stated hereinabove, applicants are directed to serve amended copy of Second Appeal on respondent's advocate thereafter immediately.

D) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)

CERTIFICATE

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