

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

**CIVIL APPLICATION NO. 1331 OF 2014
IN
SECOND APPEAL NO. 216 OF 2004**

Meerabai Sitaram Jadhav ... Appellant
vs.
Smt.Varubai Trambak Pawar
(Since deceased through his legal heirs)
1.a) Anusaya Suresh Pawar & Ors. ... Respondents

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Mr.Ashish Pyasi with Ms.Ekta Tripathi i/b Mr.Abhijeet Shinde for the Appellant.
Ms.Shama Mulla i/b Mr.S.R.Vishwakarma for the Respondent Nos.1a to 1d.

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**CORAM : K.K. TATED, J.
DATE : 07TH OCTOBER, 2015**

P.C.:

. Heard the learned counsel for the parties. This application is for bringing legal heirs on record of deceased Respondent No.1 Smt.Varubai Trambak Pawar, who died on 10th June, 2009.

2. Advocate Ms.Shama Mulla for legal heirs of deceased Respondent No.1 submitted that they have no objection if the Civil Application is allowed.

3. Considering the submissions made by the learned counsel for the Applicant, averments made in Civil Application and considering no objection on behalf of the legal heirs I satisfied that the Applicant has made out a case for allowing this Civil Application. Hence following order;

- 1) Delay in preferring the Civil Application is condoned.
- 2) Abatement is set-aside.
- 3) Applicant is permitted to bring legal heirs on record of deceased Respondent No.1 in Second Appeal No.216 of 2004 and pending Civil Application, if any within 4 weeks from today, failing which Civil Application shall stand dismissed without referring back to the Court.
- 4) If amendment is carried out within stipulated time as stated above, the Applicant is directed to serve the amended copy of Appeal Memo on Respondents advocate thereafter.
- 5) Civil Application stands disposed of accordingly.

(K.K. TATED, J.)

CERTIFICATE

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