

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.38 OF 2013
IN
CONTEMPT PETITION NO. 383 OF 2010

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. V. H. Narvekar for the Applicant

CORAM : K. K. TATED, J.

DATE : APRIL 7, 2015

P.C.:

1. Heard the learned counsel for the Applicant. He submits that the Respondent Nos.2(a) to 2(f) are duly served. They filed Affidavit of service in the Registry. Statement is accepted.

2. This application is for bringing legal heirs on record of deceased Respondent No.2 Sonba Yeshwant Choudhari who died on 08/02/2013.

3. 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.

4. Hence, the following order:

i) Civil Application is allowed in terms of prayer clauses (a) to (c) which read thus:

(a) The delay occurred in filing the present Civil Application be condoned.

(b) Abatement if any against the Respondent No.2 may kindly be set aside.

(c) The Applicant herein be permitted to bring on record the Respondent Nos.2A to 2F herein as legal heirs and representatives of the deceased Respondent No.2 and further be permitted to carry out necessary amendment in the cause title of the above contempt petition suitably and in accordance with the law.

ii) The Applicant to carry out appropriate amendment within 4 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

iii) If the amendment is carried out within stipulated time as stated hereinabove, Office is directed to issue notice to the added Respondent in the contempt petition, returnable after 12 weeks.

iv) In addition to usual mode of service, the Applicant is directed to serve the Respondent by way of private notice either by RPAD and/or by

hand delivery and to file an Affidavit of service to that effect on or before next date.

v) If bhatta charges are not paid within stipulated time, the contempt petition shall stand dismissed without further reference to the court.

vi) Civil application stands disposed off accordingly.

JUDGE