

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

**CIVIL APPLICATION NO.1513 OF 2015
IN
SECOND APPEAL NO.164 OF 2015**

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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Ms.Chandana Salgaocar for the applicant

Ms.Manali Patil i/b Mr.A.B.Tajane for the respondent

CORAM : K.K.TATED, J.
DATED : 23/09/2015

PC:

1 Not on board. At the request of Advocate for the applicant, matter is taken on board for urgent orders.

2 This application is for bringing legal heirs on record of deceased respondent no.1, Kausar Ismail Shaikh who died on 29.8.2015.

3 The present Civil Application is filed within limitation.

4 The learned counsel for the respondent Ms.Manali Patil submits that she received instructions to appear on behalf of legal heirs of deceased respondent no.1. She further submits that they have no objection if present Civil

Application is allowed. She further submits that she will file her Vakalatnama on behalf of legal heirs within two weeks from today.

5 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as Civil Application is filed within time, 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 (a) which read thus:

“(a) legal heirs of deceased Respondent No.1 be shown as legal heirs of Respondent No.1 and the cause title of the present Second Appeal No.164 of 2015 and Civil Application No.335 of 2015 in Second Appeal No.164 of 2015 may be amended accordingly.”

B) Applicant to carry out appropriate amendment within two weeks from today, failing which Civil Application shall stand dismissed without referring back to the court.

C) Advocate for legal heirs of deceased respondent no.1 to file their Vakalatnama within two weeks from today in Second Appeal No.164 of 2015.

D) Civil application stands disposed off accordingly.

(K.K.TATED, J.)

CERTIFICATE

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