

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

CIVIL APPLICATION NO.3209 OF 2015

IN

WRIT PETITION NO.3251 OF 2004

Madhav Keshav Deshmukh

.. Applicant/Petitioner

Versus

Shri. Badrinarayan Bansilal Jaju

.. Respondent

Shri. Pramod J. Pawar, for the Applicant/Petitioner.

Ms. Bhagyashree Bhosale i/by Shri. Nitin Deshpande, for the Respondent.

CORAM : R.M. SAVANT, J.

DATE : 11th DECEMBER, 2015

PC.

1. The above Civil Application has been filed for bringing the heirs of the Respondent on record and for setting aside the abatement and for condonation of delay in filing the application. The delay has occurred as the Petitioner was informed about the death of the Respondent on 22 June 2015. Thereafter the instant application has been filed in October 2015 and therefore there is delay of 30 days in filing the application. The above Petition was pending hearing and final disposal. The Learned Counsel appearing on behalf of the Respondent submits to the orders of the Court. The Civil Application is accordingly allowed. Resultantly, the

heirs of the Respondent are allowed to be brought on record. The abatement would accordingly set aside. The Petition is restored to file. Amendment to be carried out within six weeks from date. The Civil Application is accordingly disposed of.

[R.M. SAVANT, J]