

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1398 OF 2015
IN
APPEAL FROM ORDER NO. 311 OF 2015

Mehraj Business Inco Pvt. Ltd. ... Applicant
Vs.
Sopan Tukaram Bhangare & Ors. ... Respondents

Ms. Meena Harshad Doshi, Advocate for the applicant.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE : 26th October, 2015

P.C.:

The learned counsel for the applicant submitted that notice before admission was issued on 14th September, 2015 by this Court and Humdast was allowed. When the Court bailiff went to serve notice to respondent no 18, it is informed that respondent no. 18 expired on 9th April, 2014. Pursuant to that information, this Application for bringing the legal heirs of respondent no. 18 is taken out. Affidavit of service is filed by the applicant wherein it is stated that the legal heirs of respondent no. 18 are served privately so also younger brother of deceased Dhawale spoke to learned counsel and informed that he has received the Application. Along with the affidavit of service, the learned counsel filed photocopy of the printout from Website portal of India Post disclosing that notices were served to all the legal heirs of respondent no. 18, i.e. Sangeeta (widow), Sourabh and Gaurav (minor children).

2. In view of affidavit of service, delay is condoned for showing sufficient cause and legal heirs of respondent no. 18 are brought on record. Civil Application is allowed. Amendment is to be carried out within one week. Amended copy of the appeal memo along with Civil Application are to be served to the added respondents.

3. In Appeal from Order, issue notice to added respondents, returnable as per CMIS date.

(MRS.MRIDULA BHATKAR, J.)