

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

**CIVIL APPLICATION NO. 4443 OF 2013
IN
FIRST APPEAL NO. 1625 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. Viral Rathod i/b H.E. Palve for the applicant.
Mr. D.S. Joshi i/b Sham Walve for the respondent.

**CORAM : K. K. TATED, J.
DATED : 22/06/2015.**

P.C.:

1. Heard learned Counsel for the parties.
2. Leave to amend is granted.
3. This Application is for bringing legal heirs on record of deceased respondent Dharma Shiva Wadgaonkar, who died on 01.05.2011.
4. The learned counsel for the legal heirs of deceased respondent submits that they have no objection if Civil Application is allowed.
5. Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and as no objection given by the learned counsel for the respondent, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

6 Hence, the following order:

a) Delay in preferring the Civil Application is condoned.

b) Abatement is set aside.

c) Applicant is permitted to bring legal heirs on record of deceased respondent Dharma Shiva Wadgaonkar, in First Appeal no. 1625 of 2010 and pending Civil Applications, if any, within six weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

d) If amendment is carried out within stipulated time as stated hereinabove, applicant is directed to serve amended copy of First Appeal as well as application on respondent's Advocate thereafter.

e) Civil application stands disposed off accordingly.

(K.K.TATED, J.)