

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

**CIVIL APPLICATION NO.103 OF 2011
IN
SECOND APPEAL NO.424 OF 2002**

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.Gauri Godse for the applicant

CORAM : K.K.TATED, J.
DATED : 10/09/2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 Though respondents are duly served, no one appeared on behalf of them when the matter was called out.
- 3 This application is for bringing legal heirs on record of deceased respondent no.1, Narayan Govind Gawate, who died on 22.4.2008 and for condonation of delay.
- 4 Considering the submissions made by the learned counsel for the Applicant and the reasons disclosed in Civil Application, 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), (b), and (c) which read thus:

“(a) That the delay of 2 years and 244 days in filing this Civil Application be condoned.

(b) Abatement if any be set aside.

(c) That the names of Respondent Nos.1a to 1f be brought on record as the legal heirs of deceased Respondent No.1 in Second Appeal No.424 of 2002.”

B) Applicant to carry out appropriate amendment within 6 weeks from today, failing which Civil Application shall stand dismissed without referring back to the court.

C) If appropriate amendment is carried out within stipulated time as stated hereinabove, applicant to serve added respondents by private notice either by registered post A.D. and/or by hand delivery and file Affidavit of Service to that effect.

D) Civil application stands disposed off accordingly.

(K.K.TATED, J.)

CERTIFICATE

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