

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

**CIVIL APPLICATION NO.20 OF 2015
IN
SECOND APPEAL NO.76 OF 1999**

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.S.S.Patwardhan for the applicant

None for the respondent

CORAM : K.K.TATED, J.
DATED : 17/10/2015

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 Advocate for the applicant filed affidavit of service dated 13.10.2015. Same is on record.
- 4 This application is preferred by legal heirs of sole appellant, Hanmant Namdeo Jadhav who died on 27.8.2014. There is a delay of 10 days in preferring the Civil Application.
- 5 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied

that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

- a) Delay in preferring the Civil Application is condoned.
- b) Applicant is permitted to bring legal heirs on record of deceased sole appellant in Second Appeal No.76 of 1999 within six weeks from today, failing which Civil Application shall stand dismissed without referring back to the court.
- c) If amendment is carried out within stipulated time as stated hereinabove, applicant is directed to serve amended copy of Appeal Memo on respondents' advocate within two weeks thereafter.
- d) Civil application stands disposed off accordingly.

(K.K.TATED, J.)