

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

**CIVIL APPLICATION NO. 1566 OF 2014
IN
WRIT PETITION NO. 5250 OF 1998**

Girgul Farsu Mendoza (Deceased)
Through Legal Representatives ..Applicants
Vs.

Alice John Bastyao Rodriques and Ors. ..Respondents

....
Mr. Ajinkya Palav i/b Mr. P.J. Thorat, Advocate for the Applicants.
....

**CORAM : K.R. SHRIRAM, J.
DATED : 13th JANUARY 2015**

P.C.:

1. This Civil Application is to condone the delay of 27 days in presenting the civil application and to set aside abatement of Writ Petition as regards the original petitioner no.3 and to bring on record applicant nos. 3A to 3B and opponent nos. 4 and 5 on record as petitioner nos. 3A to 3B and respondent nos. 4 and 5 being heirs and legal representatives respectively.

2. The respondent nos. 2 and 3 have been served. Still nobody is appearing and no reply has been filed. Respondent Nos. 4 and 5 are legal heirs. The learned Counsel for the applicants state that he has

instructions to appear for respondent nos. 4 and 5 and therefore the question of serving respondent nos. 4 and 5 does not arise.

3. I have perused the Civil Application. For reasons mentioned therein Civil Application is allowed in terms of prayer clause A, B and C.

4. The petitioner to carryout the amendments to the cause title and serve a copy of the amended petition upon the respondents within two weeks.

[K.R. SHRIRAM, J.]

ssdeshpande