

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.143 OF 2013
WITH
CIVIL APPLICATION NO.1628 OF 2014
IN
SECOND APPEAL NO.143 OF 2013

Shri Madhukar Kashinath Chandorkar
 & Ors.

... Applicant/Appellant
 (Org. Deft. Nos.1 to 3)

vs.

Shri Ratnakar Kashinath Chandorkar
 & Ors.

... Respondents
 (Org. Deft. Nos.4 to 18)

.....

Mr. Rugved R. Lokare i/by Mr. R.V.Govilkar for the applicant.
 Mr. Madhav Jamdar for the respondent no.1.

....

CORAM : K.K. TATED, J.
DATE : 26TH AUGUST, 2015

P.C.:

. Heard Mr.Lokare the learned counsel for the applicant and
 Mr.Jamdar the learned counsel for the respondent no.1. Though the other
 respondents are duly served, no one appeared on behalf of the respondents
 when the matter called out.

2. This Civil Application is for bringing legal heirs on record of respondent no.7 Shri Pandit Ganpat Kashmire who died on 10th November, 2012 and for condonation of delay in preferring the Civil Application.

3. Considering the submissions made by the learned counsel for the applicant and averments made in Civil Application, I satisfied that the applicant has made out a case for allowing this Civil Application. Hence the following order.

- (a) Abatement set aside.
- (b) Delay in preferring the Civil Application is condoned.
- (c) Applicant is permitted to bring legal heirs on record of the deceased respondent no.7 Shri Pandit Ganpat Kashmire in Second Appeal no.143 of 2013 as well as Civil Application, if any.
- (d) Amendment be carried out within 6 weeks from today, failing which Civil Application shall stand dismissed without referring back to the Court.
- (e) If amendment is carried out within stipulated time as stated above, Office is directed to issue notices to the added respondents in Second Appeal 143 of 2013.
- (f) Applicant is directed to serve the amended copy of the Appeal Memo on respondents and/or their advocates.
- (g) Civil Application stand disposed of accordingly.

(K.K. TATED, J.)