

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

Civil Application NO. 4408 OF 2016

IN

First Appeal NO. 1469 OF 2002

Namdeo Shamrao Shinde Deceased Through
Lrs.& Legal Representatives Smt. Pushpa Namdeo
Shinde And Ors ...Applicants

Versus

Mohd. Yusuf S. Bombaywala And Anr. ...Respondents

Mr.Sharad Bhosale i/b. Mr.Dilip Bodake, for the Applicants

Ms.Minal Chandnani i/b. Mr.J.S.Chandnani, for Respondent No.2

CORAM: G.S.KULKARNI, J.**DATE: 30th NOVEMBER,2016**

PC.:-

1. By this application the Applicants pray to bring on record the legal heirs of the sole appellant-Namdeo Shamrao Shinde who expired on 24 July 2015, who are stated to be Applicant Nos.1 to 3. There is a delay of 73 days in filing this Civil Application. It is also stated that Respondent No.1- Mohd.Yusuf B.Bombaywala the insured - the owner of the vehicle, has expired. In this regard also necessary steps need to be taken if the Applicants so desire. Respondent No.2 is represented by Ms.Minal Chandnani, learned Counsel for

Respondent No.2.

2. Considering the averments as made in the application and in the facts and circumstances of the case, it is in the interest of justice that the delay in filing of this civil application is condoned and the legal heirs of the deceased Appellant Namdeo Shamrao Shinde be brought on record.

3. Accordingly, the Civil Application is allowed in terms of prayer clause (a). Amendment be carried out within a period of four weeks from today. No costs.

4. Civil Application is accordingly disposed of.

(G.S.Kulkarni, J.)