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IN THE HIGH COURT OF JUDICATURE AT MUMBAI
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 725 OF 2016
IN
FIRST APPEAL NO. 2444 OF 2006

Firoza Rohinton Kanga .. Applicant

In the matter of

City & Industries Development Corporation
of Maharashtra Ltd. .. Orig. Appellant

Vs.

Sarosh Hirji Kanga and others .. Respondents

Mr. Shehzad A.K. Najam-es-Sani i/b M/s. Maneksha & Sethna,
Advocate for the Applicant.

Mr. G.S. Hegde, Advocate for CIDCO – Orig. Appellant.

**CORAM : ANOOP V. MOHTA &
G.S. KULKARNI, JJ.**
DATE : 3rd March, 2016.

P.C. :

. The application is taken out by legal heir and representative of respondent No.2 as inspite of informing the appellant regarding death of respondent No.2 and requesting it to take steps, the appellant failed to take any step to bring the legal heirs of respondent No.2 on record.

2. Considering the averments made and for proper adjudication of the issue so raised and in the interest of the justice, we are inclined to grant this application in terms of prayer clauses

(a) to (c) as sufficient case is also made out for the prayer clauses so granted.

3. Civil Application is allowed. No costs.

4. Parties to carry out amendment within 2 weeks from today.

(G.S.KULKARNI, J.)

(ANOOP V. MOHTA, J.)