

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

**CIVIL APPLICATION NO.469 OF 2016
IN
APPEAL FROM ORDER NO.1003 OF 2011
IN
NOTICE OF MOTION NO.1662 OF 2011
IN
SUIT (ST) NO.1728 OF 2011**

Prachi P.Vaidya and Ors.	...	Appellants
versus		
The Mahanagar Co-op. Bank Ltd.	...	Respondent
Versus		
Prajwal P. Vaidya and Anr.	...	Applicants

Mr. Joglekar i/by Mr. V.R.Shah, for Applicants.
Mr. Sarwankar i/by M/s. Sarwankar and Co., for Respondent.

CORAM: S.J. KATHAWALLA, J.

DATE: 5th APRIL, 2016

P.C.:

1. Perused the Civil Application. The Civil Application is allowed in terms of prayer clauses (a) and (b), which are reproduced hereunder :

“(a) that this Hon’ble Court be pleased to allow the Applicants to amend the A.O., and C.A., therein to bring the Appellant Nos.2 and 3 as the legal heirs of the Appellant No.1 on record as the legal heirs as per the Schedule annexed hereto;

(b) the delay of 36 days in taking out the civil Application be condoned and abatement of the appeal if any be set aside;

2. The Applicants shall be at liberty to carry on continue with all the pending proceedings.
3. The Civil Application is accordingly disposed of.

(S.J.KATHAWALLA, J.)