

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 313 OF 2015****IN****SECOND APPEAL NO. 1402 OF 2004****Dasharath Hari Thorat****Since deceased through his legal heirs and representatives Applicants****VERSUS****Rangrao Krishna Thorat & Ors.****..... Respondents**

Ms.Ujjawala Sawant, i/b. Mr.R.V.Govilkar for the Applicants.

Mr.U.R.Mankapure for the Respondent nos. 1 and 2.

CORAM : R.D. DHANUKA, J.**DATE : 20th AUGUST, 2016****P.C.**

Learned counsel appearing for the applicants states that all the respondents are served. Learned counsel appearing for the legal heirs of respondent no.1 and respondent no.2 waives service.

2. Learned counsel appearing for the legal heirs of respondent no.1 and for respondent no.2 has no objection if the civil application is allowed as prayed. The statement is accepted. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clauses (a), (b) and (c). Amendment to be carried out within two weeks from today and amended copy of the second appeal shall be served upon the learned advocate representing the legal heirs of the respondent no.1 and also respondent no.2 within one week from the date of carrying out amendment. No order as to costs.

[R.D. DHANUKA, J.]