

Sequeira

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

***CIVIL APPLICATION NO. 307 OF 2012
in
SECOND APPEAL NO. 566 OF 2006***

Office Notes, Office Memoranda of Coram, appearances, Court's order or Directions and Registrar's Orders	Court's or Judge's Orders
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Mr.M.U.Rajput i/b Mr.Uday Warunjikar, for Applicants / Appellants.

Mr.Akshay Kapadia i/b Ms.Manisha Shekhar, for Respondent Nos.1 to 3.

***CORAM: N.M. Jamdar, J.
Friday, 1 July 2016.***

P.C.:

The Application is filed for setting aside the abatement in respect of Appellant No.1 and for condonation of delay. The Applicants have given cogent reasons in the Application as to why delay occurred in bringing the heirs of Appellant No.1 on record.

At the request of the Respondents, the Application was adjourned on 2 April 2012 for filing reply. Reply was to be filed on or before 17 April 2012. In spite of getting time of almost four years no reply is filed. The averments made in the Civil Application will have to be accepted. Accordingly, Civil Application is allowed in terms of prayer clause (A). Amendment to be carried out within period of four weeks from today.

(N.M.Jamdar, J.)