

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

CIVIL APPLICATION NO.5 OF 2016

ARBITRATION PETITION NO.31 OF 2012

Narendra Janardhan Pathak & Ors. .. Applicants
Vs.
Shantaben Harilal Rathod & Ors. .. Respondents

Mr.Rohit Joshi i/by Ms.Gouri Godse for the applicants.
Mr.Harshad Sathe for the respondent nos.1 to 11, 17 and 18.

CORAM : R.D. DHANUKA, J.
DATE : 22nd July 2016

P.C.:-

. By this civil application, the applicants seek for condonation of delay in filing this civil application, for setting aside the abatement, if any and for bringing the names of the applicants as legal heirs of the deceased petitioner no.3 on record.

2. Mr.Sathe, learned counsel appearing for the respondent nos.1 to 11, 17 and 18 has no objection if the civil application is allowed as prayed. Other respondents are served and are absent. No affidavit-in-reply is filed.

3. I have heard the parties who are present in Court through their respective counsel and I have perused the civil application.

4. For the reasons recorded in the civil application, civil application made absolute in terms of prayer clauses (a) to (c).

Amendment to be carried out within two weeks from today. Amended copy of the arbitration petition shall be served upon the learned advocate representing the respondent simultaneously. Civil application is disposed of in aforesaid terms. No order as to costs.

R.D. DHANUKA, J.