

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

***CIVIL APPLICATION NO. 1767 OF 2015
IN
SECOND APPEAL NO. 304 OF 2002***

Mr.Mathu Balaji Shinde

(since deceased, through heirs)

1. Mr.jaysing Mathu Shinde & ors. ... Applicants

v/s

Shri Tukaram Balaji Shinde

(since deceased, through heirs)

1.Smt.Babubai Dattatraya Jagtap

(since deceased, through heirs)

1.1) Vijay Dattatray Jagtap & ors. ... Respondents

Mr.Jayesh Joshi for the applicants.

Mr.Mahendra Agavekar i/by Mandar Limaye for Resp. Nos.2 to 5 and 7.

Coram: N.M. Jamdar, J.

Dated: 24 June 2016

P.C.:

Perused the application. Time was sought by the learned counsel for the Respondents to file reply in April 2016. No reply is filed. Sufficient cause is made out. In the application it is stated that, it was in January 2015 that the Applicants received instructions that the Respondent No.6 has expired. This statement has gone un-

controverted. If this is considered, then the delay is not of inordinate nature.

2 The civil application is allowed in terms of prayer clauses (a), (b) and (c).

3 Amendment to be carried out within a period of three weeks from today.

(N. M. Jamdar, J.)