

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

CIVIL APPLICATION NO.874 OF 2016

IN

WRIT PETITION NO.1638 OF 1998

Yashwant Pandharinath Bagal

(Since deceased through heirs)

Sunanda Yashwant Bagal and others

.. Applicants

Versus

Shri. Waman Raghunath Inamdar and others

.. Respondents

Mr. A. P. Kulkarni, for the Applicants.

Mr. Y. P. Naravankar i/by Mr. V. R. Kadam, for the Respondents.

CORAM : R.M. SAVANT, J.

DATE : 12th APRIL 2016

PC.

1. At the outset, the Learned Counsel for the Applicants seeks leave to amend so as to correct prayer clause (b) so as to substitute the word "Petitioner" by the word "Respondent". Leave granted. Amendment to be carried out forthwith.

2. The above Civil Application has been filed to bring the heir of the deceased Respondent on record, for condonation of delay of 1140 days in filing the application and for setting aside the abatement. The Learned

(21) -CAW-874-16.doc

Counsel for the Respondents submits to the orders of the Court. The Civil Application is accordingly allowed and made absolute in terms of prayer clauses (a) and (b). List the Petition for final hearing after the ensuing summer vacation i.e. on 14.06.2016.

[R.M. SAVANT, J]