

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1774/2015
IN
FIRST APPEAL (ST) NO. 3339/2012

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Beneita Kapadia i/b Pankaj Thatte for the Applicants

CORAM : K. K. TATED, J.
DATE : JANUARY 15, 2016

P.C.:

1. Heard the learned counsel for the Applicant.
None for the Respondent though served.

2. This Application is made by the Plaintiff Nos.3 and 4 for deleting the name of Respondent No.2 Vasant Gawade, who was partner of Housing Development and Improvement Corporation, as he is retired from the partnership firm.

3. The learned counsel for the Applicant submits that they received letter dated 03/03/2015 from Adv. Mishra (Exhibit A) to that effect. Hence, the Applicant may be permitted to bring on record Mr. Sarang Wadhwani, who has been admitted as a partner of the said partnership firm.

4. Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

5. Hence, the following order:

a) Delay in making the Civil Application is condoned.

b) The Applicant is permitted to delete the name of Respondent No.2 from the cause title of First Appeal and pending Civil Application.

c) The Applicant is permitted to bring on record the name of Mr. Sarang Wadhwani on record in place of Respondent no.2 in the First Appeal as well as pending Civil Application.

d) Amendment to be carried out within 4 weeks failing which the Civil Application shall stand dismissed without further reference to the court.

e) If amendment is carried out within stipulated time as stated herein above, the Applicant to serve an amended copy of the Appeal as well as pending Civil Application, if any, on the Respondents or their Advocate, thereafter immediately, by way of

private notice either by RPAD and/or by hand delivery and to file an affidavit of service to that effect on or before next date.

f) Civil Application stands disposed off accordingly.

JUDGE