

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

CIVIL APPLICATION NO.51/2016
IN
CIVIL REVISION APPLICATION NO.558/2009

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. K. R. Parekh i/b. K. R. Parekh & Co. for the applicant

CORAM : K. K. TATED, J.
DATE : APRIL 6, 2016

P.C.:

1. Heard. Though the legal heirs of deceased respondent No.1 Bhawanjee Kunwarjee Veera is duly served, none appeared for him.

2. This application is for bringing legal heirs on record of deceased respondent No.1 who died on 29.10.2014. There is delay of 110 days in filing the Civil Application.

3. 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.

4. Hence, the following order:

- a) Delay in making the Civil Application is condoned.
- b) Abatement is set aside.
- c) The applicant is permitted to bring on record the legal heirs of deceased respondent No.1 in Civil Revision Application within 6 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.
- d) If amendment is carried out within stipulated time as stated hereinabove, office is directed to issue notice to the added respondent in Civil Revision Application, returnable after 12 weeks.
- e) If amendment is carried out within stipulated time as stated hereinabove, the Applicant is directed to serve an amended copy of the Civil Revision Application as well as pending Civil Revision Application, if any, on the Advocate for the Respondents, immediately thereafter.
- f) Civil application stands disposed off accordingly.

JUDGE