

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

**CIVIL APPLICATION NO. 3455 OF 2015
IN
FIRST APPEAL NO. 536 OF 2008**

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. S.T. Bhosale i/b Dilip Bodke for the applicant.
Mr. Madhav Jamdar for the respondent Nos. 1 & 2, 4A to 4C.
Mr. S.P. Thorat for Respondent No.3.

**CORAM : K. K. TATED, J.
DATED : 05/01/2016**

PC.:

. Heard learned Counsel for the parties.

2 This application is for bringing legal heirs on record of deceased Respondent No.4 Raoji Ganpat Ghadge, who expired on 15.02.2015.

3 The learned counsel Mr. Madhav Jamdar submits that he received instructions to appear on behalf of legal heirs of deceased Respondent No.4.

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 preferring Civil Application is condoned.

b) Abatement in respect of deceased Respondent No.4 namely Raoji Ganpat Ghadge, is set aside.

c) Applicant is permitted to bring legal heirs on record of deceased Respondent No.4 in First Appeal no. 536 of 2008 and pending Civil Applications within four 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, applicant to serve the amended copy of First Appeal as well as pending Civil Applications, if any, on respondent's advocate immediately, thereafter within two weeks.

e) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)