

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

**CIVIL APPLICATION NO.1142 OF 2015
IN
SECOND APPEAL NO.1101 OF 2012**

Sonabai Appaji Deokate (since deceased)

Through legal heirs

1A] Anna appaji Deokate and Ors. .. Applicants

Vs.

Shri Ramchandra Dadu Kokare

Since Deceased Through LRs.

Sushilabai Ramchandra Kokare and Ors. .. Respondents

Ms. Priyanka Joshi i/b Mr. Rahul Kate for the applicants.

Mr. Drupad Patil for respondent nos.2 and 3.

CORAM : R.D. DHANUKA, J.

DATE : 14th January 2016

P.C.

. Not on board. Taken on board by consent of the parties.

2. Learned counsel appearing for the applicant seeks recall of the order dated 23rd September 2015 and states that the legal heirs of the deceased respondent no.1 would be brought on record in the second appeal within two weeks from today. Mr.Patil, learned counsel appearing for the respondent nos.2 and 3 submits that he has no objection if the order dated 23rd September 2015 is recalled and the applicant is permitted to bring the legal heirs of the deceased respondent no.1 within two weeks from today. Statement is accepted.

3. By consent of the parties, the order dated 23rd September 2015 is recalled. The applicant is permitted to bring the legal heirs of the

deceased respondent no.1 in second appeal within two weeks from today and serve a copy of the amended second appeal upon the learned advocate representing the respondent nos.2 and 3 simultaneously. It is made clear that no further extension would be granted. Civil application is disposed of in aforesaid terms. No order as to costs.

4. If the amendment is carried out within a period of two weeks from today, office is directed to issue notice to the added respondents in second appeal.

R.D. DHANUKA, J.