

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

**CIVIL APPLICATION NO.1583 OF 2015
IN
SECOND APPEAL NO.239 OF 1996**

Ramchandra Laxman Dalvi (since deceased)
through his legal heirs

1.1) Smt.Sunanda Ramchandra Dalvi & Ors. .. Applicants

Vs.

Harishchandra Krishna Dalvi & Ors. .. Respondents

Mr.Presswala i/by Mr.Suresh M.Sabrad for the applicants.

Mr.A.Pol for the respondent nos.1, 3 & 4.

Mr.U.P. Bobade for the respondent nos.5 to 7.

CORAM : R.D. DHANUKA, J.

DATE : 18th February 2016

P.C.

. By this civil application, the applicants seek condonation of delay in filing the civil application and seeks permission to bring legal heirs and representatives of deceased original appellant no.3 on record.

2. Civil application is vehemently opposed by the learned counsel for the respondent nos.1, 3 & 4. No affidavit-in-reply is filed.

3. The averments made in the civil application are deemed to have been admitted. Even if there is an abatement of the appeal in respect of the appellant no.3, the same is set aside. Delay in filing the civil application is condoned.

4. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clauses (a1) and (b).

Amendment to be carried out within two weeks from today. Amended copy of the second appeal shall be served upon all the respondents within one week from the date of carrying out amendment. Civil application is disposed of in aforesaid terms. No order as to costs.

R.D. DHANUKA, J.