

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1004 OF 2014
IN
SECOND APPEAL NO. 192 OF 1991

Shivajirao Shankarrao Barge
(Dead) through his legal heirs & Ors. Applicants

VERSUS

Sukumar Narayan Vellivati,
Since deceased through legal heirs & Ors. Respondents

Mr.Jayesh Joshi for the Applicants.

Ms.Naziya Shaikh, i/b. Mr.V.A.Thorat for the Respondents.

CORAM : R.D. DHANUKA, J.

DATE : 30th SEPTEMBER, 2016

P.C.

By this civil application, the applicants seek condonation of delay of 3 years and 271 days in filing civil application, press for setting aside abatement and for amendment of the second appeal.

2. Learned counsel appearing for the proposed respondent nos. 2A to 2H has no objection if the civil application is allowed as prayed. The statement is accepted. Civil application is accordingly made absolute in terms of prayer clauses (a) and (b). The amendment to be carried out within two weeks from today. Amended copy of the second appeal shall be served upon the other respondents and also on the newly added parties within two weeks from the date of carrying out amendment. No order as to costs.

[R.D. DHANUKA, J.]