

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1842 OF 2014
IN
WRIT PETITION NO. 9697 OF 2012

Abhay Shantilal Shah & Anr.	.. Applicants
V/s	
Padmakar Kanhu Gaikar & Ors.	.. Respondents

Mr. Bhushan Walimbe for the applicants.
Mr. Rohit Joshi i/b Mr. Idris M. Vohra for the respondents.

CORAM: D.H. WAGHELA, CJ.

DATE : 20th JUNE 2016

P.C.:

Learned counsel for the applicants and respondent nos.1 and 2 are present. Learned counsel for the proposed respondent no.3A, who is the heir of original respondent no.3, is not present as happened on the earlier date of hearing, i.e. 6th June 2016.

2. It appears that respondent no.3A is served and learned counsel Mr. I.M. Vora is shown to be appearing for him.

3. Under the circumstances and in view of the reasons stated in the application, the delay of 447 days in filing of the civil

application is condoned and the application is allowed permitting the applicants to bring on record the legal heirs of respondent no.3.

4. The civil application is disposed accordingly with no order as to costs.

(CHIEF JUSTICE)