

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1451 OF 2012****IN****SECOND APPEAL (ST) NO.11563 OF 2010**

**Janki Keshav Gavankar
@ Smt.Chandra Ganesh Prabhu
(since deceased through legal heir)
Prakash Keshav Gavankar**

..... Applicant**VERSUS****Vithal Ganesh Prabhu & Ors.****..... Respondents**

Mr.Vaishali A.Ugale for the Applicant.

CORAM : R.D. DHANUKA, J.**DATE : 20th AUGUST, 2016****P.C.**

A perusal of the record indicates that all the respondents are served.

2. Heard learned counsel appearing for the applicant. In this civil application, the applicant seeks to bring the legal heirs of the respondent no.2 on record and seeks condonation of delay of 216 days in filing civil application. The applicant has annexed the death certificate of the respondent no.2 and has averred about his knowledge of the death of respondent no.2. The applicant has also explained the delay in filing the civil application sufficiently. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clauses (a), (aa), (b) and (c). Amendment to be carried out within two weeks from today. Amended copy of the second appeal shall be served upon the respondents including newly added parties within one week from the date of carrying out amendment. Civil application is disposed of in the aforesaid terms. No order as to costs.

[R.D. DHANUKA, J.]