

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

CIVIL APPLICATION NO.5614 OF 2008

IN

FIRST APPEAL NO.1358 OF 2002

Sudhakar Namdeo Kolekar

.. Applicant

Versus

Mohan Mahadeo Deshpande

**(Since deceased by his legal heirs &
representatives)**

Smt. Shalini Mohan Deshpande and others

.. Respondents

Mr. T. S. Ingale for the Applicant.

Ms. Poonam Mittal for the Respondent No.2.

CORAM : R.M. SAVANT, J.

DATE : 8th JUNE 2016

PC.

1. The above Civil Application has been filed for bringing the heirs of the Respondent No.1 on record and for condonation of delay of 324 days in filing the application. The reasons for the delay find a place in the application. The Respondent No.1 is the owner of the vehicle in question. The heirs of the Respondent No.1 i.e. 1a and 1b have been served however, no appearance is put up on their behalf. Hence, accepting the reasons mentioned in the Civil Application, the same is allowed. Resultantly, the heirs of the Respondent No.1 i.e. 1a and 1b are allowed to

be brought on record. Amendment to be carried out within two weeks from date.

2. On amendment being carried out, issue notice in the First Appeal to the Respondent Nos.1a and 1b returnable on 20.07.2016. In addition to service of notice through Court, the advocate for the Applicant shall serve a private notice by Registered Post A.D. and/or by Courier service and/or by hand delivery on the Respondents and shall file affidavit of service before the returnable date.

3. The Civil Application is accordingly disposed of.

[R.M. SAVANT, J]