

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 2593 OF 2015
IN
WRIT PETITION NO. 9527 OF 2013**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Ms. Anusha Amin i/b Sandesh Patil for the applicant.
Mr. J.M. Joshi for respondent nos. 1 to 3.
Mr. Bhavesh Magan i/b Sandesh Deshpande for the Respondent nos. 4 and 5.
Mr. Mahendra Agvekar i/b Mandar Limaye for respondent no.8.

**CORAM : K. K. TATED, J.
DATED : 08/07/2016**

PC.:

- . Heard the learned counsel for the parties.
- 2 The learned counsel for the applicant submits that they filed affidavit of service stating that legal heirs of deceased respondent no.6 are duly served.
- 3 This application is for bringing legal heirs on record of deceased respondent no.6 Dattatray Haribhau Gongate, who died on 29.09.2013.
- 4 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

5 Hence, the following order:

a) Civil Application is allowed in terms of prayer clauses (a), (b) & (c) which read thus:

“a) Delay of 2 years caused in preferring present application be condoned.

b) The abatement if any of the captioned Writ Petition as against respondent no.6 be set aside.

c) The legal representatives of deceased respondent no.6 as mentioned in title clause be taken on record and applicant be allowed to carry out necessary amendment.”

b) Applicant to carry out appropriate amendment within four weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

c) If amendment is carried out within stipulated time as stated hereinabove, office is directed to issue notice to the added respondents in Writ Petition No. 9527 of 2013.

d) In addition to usual mode of service, the applicant is permitted to serve the added Respondents by way of private notice the entire proceedings in Writ Petition no. 9527 of 2013 either by RPAD and/or by hand delivery and to file an Affidavit of service to that effect on or before next date.

(K.K.TATED, J.)