

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

**CIVIL APPLICATION NO.4259 OF 2015
IN
FIRST APPEAL NO.1365 OF 2014**

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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Mr.Yuvraj P. Narvankar for the applicant

Mr.Sudam Kale for the respondent nos.1 to 3

Ms.Anjali Purav for the appellant

CORAM : K.K.TATED, J.

DATED : 06/01/2016

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is preferred by legal heirs of deceased respondent no.5 Shrawan Zipru Bagul who died on 24.10.2014 for bringing them on record as legal heirs.
- 3 The learned counsel for the respondent nos.1 to 3 submit that they are also the legal heirs of deceased respondent. He submits that respondent no.1, Vaishali Padmakar Bagul is widow of Padmakar Shrawan Bagul who died on an accident and respondent nos.2 and 3 are her children.
- 4 Considering the submissions made by the

learned counsel for the Applicant and the averments made in the Application, issue of entitlement of respondent nos.1 to 3 in share of respondent no.5 as legal heirs, is kept open. Hence, following order:

- a) Delay in preferring Civil Application is condoned.
- b) Appellants to carry out appropriate amendment in First Appeal as well as pending Civil Application if any within four weeks from today.
- c) If appellant failed to carry out appropriate amendment within stipulated time as stated hereinabove, liberty granted to the applicants to do so thereafter.
- d) Civil application stands disposed off accordingly.
- e) The learned counsel for the added respondent waives service in First Appeal.

(K.K.TATED, J.)