

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

**CIVIL APPLICATION NO.4138 OF 2012**  
**IN**  
**FIRST APPEAL NO.180 OF 2001**

Anis Ahmed Nazir Ahmed Shaikh ..... Applicant

V/s.

Afzal Husein Nazir Ahmed Shaikh,  
Since Deceased, Through LRs :-  
Anwar Hussain Afzal Hussain & Ors.

..... Respondents

None for the Applicant.

Ms. Shraddha Pawar, h/f. Mr. R.S. Pachundkar, for Respondent No.2B(1).

**CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.**

**DATE : 14<sup>TH</sup> SEPTEMBER 2016.**

**P.C. :**

1. Heard.
2. Perused the Civil Application and the annexures thereto. In view of the death of respondent No.2, the permission is sought to bring his legal heirs on record. Learned counsel for respondent No.2B(1) has no objection to allow this Civil Application.
3. In view thereof, the Civil Application is allowed.

4. Applicant to carry out necessary amendment, to bring legal heirs of deceased respondent No.2 on record, in the cause title by setting aside the order of abatement.
5. On the legal heirs being brought on record, Registry to issue notices to the newly added respondents, returnable on 26<sup>th</sup> October 2016.
6. Civil Application stands disposed of in the above terms.

**[DR. SHALINI PHANSALKAR-JOSHI, J.]**