

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2752/2012
IN
WRIT PETITION NO.2383/2011

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. Sachin Chavan i/b. S. S. Kulkarni for the applicant

Mr. B. K. Barve with Sandeep Barve with Sheetal Tanpure i/b. B. K. Barve & Co for the respondent Nos.1 to 5.

CORAM : K. K. TATED, J.

DATE : JUNE 29, 2016

P.C.:

1. Heard. This application is for bringing legal heirs on record of deceased respondent No.17 Nila Rangnath Gujar.

2. Office note shows that the legal heirs of deceased respondent No.17 are already served. In spite of that none appeared before this court today.

3. 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.

4. Hence, the following order:

- a) Delay in making the Civil Application is condoned.
- b) Abatement is set aside.
- c) The applicant is permitted to bring on record legal heirs of respondent No.17 in Writ Petition within 4 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.
- d) If amendment is carried out within stipulated time as stated hereinabove, the office is directed to issue notice to the legal heirs of deceased respondent No.17, returnable after 6 weeks in writ petition.
- e) In addition to usual mode of service, the applicant is permitted to serve the legal heirs of deceased Respondent No.17 in writ petition along with entire proceedings by way of private notice either by RPAD and/or by hand delivery and to file an Affidavit of service to that effect on or before next date.
- f) Civil application stands disposed off accordingly.

JUDGE