

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

**CIVIL APPLICATION NO.167 OF 2016
IN
FIRST APPEAL NO.941 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.Omkar Nagvekar i/b Ms.Prabha U. Badadare for the applicant

Ms.Leena Patil for the respondent no.3

Mr.Nikunj Mehta i/b M/s.Kanga and Co. for the respondent no.1

**CORAM : K. K. TATED, J.
DATED : 09/02/2016**

PC.:

- . Heard the learned counsel for the
- 2 This application is preferred by plaintiff for bringing legal heirs on record of deceased respondent no.2, Keshavbhai Premabhai Patel who expired on 29.9.2015.
- 3 This application is filed by the applicant on 21.10.2015 i.e. within limitation.
- 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 following order:

- a) Applicant is permitted to bring legal heirs on record of deceased respondent no.2 in First Appeal No.941 of 2014 as well as pending Civil Application if any within four weeks from today, failing which Civil Application shall stand dismissed without referring back to the court.
- b) If amendment is carried out within stipulated time as stated hereinabove, office is directed to issue notice to added respondents in First Appeal No.941 of 2014, returnable after six weeks.
- c) In addition to usual mode of service, the applicant is permitted to serve the added Respondents in First Appeal No.941 of 2014 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.
- d) Advocate for the applicant is directed to serve amended copy of First Appeal No.941 of 2014 on remaining respondents 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.)