

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

**CIVIL APPLICATION NO. 114 OF 2015
IN
WRIT PETITION NO. 2114 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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Mr. Prashant Suryawanshi o/b G.M. Savagave for the Applicant.

None for the Respondent.

CORAM : K. K. TATED, J.

DATED : 08/08/2016

PC.:

. Heard learned Counsel for the applicant. None for respondent, though duly served.

2 This application is for bringing legal heirs of deceased respondent No.3 Vitthal Nivrutti Mohire, who died on 30.10.2010. There is delay in preferring Civil Application.

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) Abatement is set aside.
- b) Delay in preferring Civil Application is condoned.
- c) Applicant is permitted to bring all legal heirs on record of deceased Respondent No.3 in Writ Petition No. 2114 of 2013, within four weeks from today, failing which Writ Petition shall stand dismissed without referring back to the court.
- d) If amendment is carried out within stipulated time as stated herein above, office is directed to issue notices to the added respondent in Writ Petition No. 2114 of 2013, returnable after 12 weeks.
- e) In addition to usual mode of service, the application is permitted to serve the added Respondent in Writ Petition No. 2114 of 2013 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.
- f) Civil application stands disposed off accordingly.

(K.K.TATED, J.)