

Sequeira

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

***CIVIL APPLICATION NO. 237 OF 2016
in
CIVIL REVISION APPLICATION NO. 47 OF 2009***

John Micheal D'Cruz & ors.	.. Petitioners.
<i>Vs</i>	
Praful Makhal and ors.	.. Respondents
<i>And</i>	
Mrs. Alpana w/do. Peter Dcruz & ors.	.. Applicants
<i>And</i>	
Parijat Makhal	.. Respondent (Proposed Resp. No.1 A)

Mr. Anil Yadav i/b D.R. Shah, for Applicant.

Ms. Panthi Desai i/b M/s M.P. Vashi & Associates, for Respondent No.2.

***CORAM : N.M. Jamdar, J.
Wednesday, 16 November 2016.***

P.C. :

Notice is issued to the proposed Respondent No.1A, heir of Respondent No.1. The notice is served. Perused the application. Sufficient cause is made out for condonation of delay. Nothing is placed on record as to whether the Applicants were made aware of the death of Respondent No.1, hence delay will have to be condoned and abatement will have to be set aside. Accordingly, Civil Application is allowed in terms of prayer clause (a), (b) and (c). Amendment to be carried out within period of three weeks from today.

(N.M. Jamdar, J.)