

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

**CIVIL APPLICATION NO. 676 OF 2015
IN
CIVIL REVISION APPLICATION (ST) NO. 18841 OF 2015**

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. Anil Mishra for the Applicant.

**CORAM : K. K. TATED, J.
DATED : 16/03/2016**

PC.:

. Heard learned Counsel for the applicant. Though, the respondents are duly served, no one appeared on behalf of them when the matter called out.

2 This application is preferred by executor of the Will dated 20.11.2010.

3 The learned counsel for the applicant submits that original plaintiff Siyaram Gangadin Gupta died on 09.09.2015. The deceased executed Will dated 20.11.2010 and appointed applicant Kailash Radheshyam Gupta as executor. He submits that the applicant also filed probate petition and same is pending for hearing and final disposal on its own merits. Hence, the executor filed present application for joining him as a party in the present Civil

Revision Application.

4 Considering the submissions made by the learned counsel for the Applicant, the averments made in the Application and Will dated 20.11.2010, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

5 Hence, the following order:

a) Delay in preferring Civil Application is condoned.

b) Abatement is set aside.

c) Applicant is permitted to join him as a applicant in Civil Revision Application (ST) no. 18841 of 2015.

d) Applicant to carry out appropriate amendment within four weeks from today, failing which the Civil Revision Application shall stand dismissed without further reference to the court.

e) Liberty granted to the applicant to prefer appropriate application for remaining prayers.

f) Civil application stands disposed off accordingly.

(K.K.TATED, J.)