

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

**CIVIL APPLICATION NO. 144 OF 2016
IN
FIRST APPEAL NO. 938 OF 1992**

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.S. M. Sharma i/b M/s. M.P. Vashi & Asso. for the applicant.

Mrs. M.R. Bhoir for the respondent/Corporation.

CORAM : K. K. TATED, J.

DATED : 26/02/2016

PC.:

. Heard learned Counsel for the parties.

2 This application is preferred by legal heirs of deceased Appellant No.1 Gopal Shetty and deceased Appellant No.6 Nawab Jan for bringing them on record in First Appeal No. 938 of 1992 in place of deceased Appellants.

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 preferring the Civil Application is condoned.

- b) Abatement is set aside.
- c) Applicant is permitted to bring the legal heirs of deceased Appellant No.1 and Appellant No.6 on record in First Appeal No. 938 of 1992 within six 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, applicant to serve amended copy of First Appeal No. 938 of 1992 on Respondent's or their Advocate, immediately thereafter.
- e) Civil application stands disposed off accordingly.

(K.K.TATED, J.)