

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1278 OF 2008
IN
REJECTED CASE NO. 539 OF 2007
(FIRST APPEAL (STAMP) NO. 30648 OF 2002)
WITH
CIVIL APPLICATION NO. 1277 OF 2008
IN
REJECTED CASE NO. 539 OF 2007
(FIRST APPEAL (STAMP) NO. 30648 OF 2002)

The State of Maharashtra	..	Appellant
vs.		
Dharma Bhaga Ambekar (since deceased) through legal heirs	..	Respondents

Mr. Yogesh Dabke - AGP for Applicant / Appellant.

CORAM : M. S. SONAK, J.
DATE: 10 JANUARY 2017

P.C :

1] Mr. Yogesh Dabke, learned AGP submits that service in this matter is complete.

2] Mr. Dabke submits that the office of the Government Pleader was in constant correspondence with the Officials in the matter of service upon the respondents. Though there is some delay, he points out that the respondent no. 1 had expired and therefore, it was not possible to serve the respondent no. 1. Thereafter, the officials found out this fact and also some time was spent in obtaining death certificate and names of legal representatives.

3] Taking into consideration the circumstance that the steps were being taken from time to time, the civil application can be allowed. Accordingly, the civil application no. 1278 of 2008 is made absolute in terms of prayer clauses (a), (b) and (c). The civil application no. 1278 of 2008 is disposed of accordingly.

4] Necessary amendment to be carried out in the memo of appeal within a period of four weeks from today. Further, the appellant to take steps to serve the legal representatives in the main appeal within a period of four weeks from today.

(M. S. SONAK, J.)

Chandka