

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1571 OF 2017
IN
SECOND APPEAL (ST) NO.10866 OF 2016
IN
CIVIL MISC. APPLICATION NO.169 OF 2014
IN
REGULAR CIVIL SUIT NO.45 OF 1998

Mr. Pandurang Jijaba Divekar & Anr. ...Appellants

Versus

Mr. Maruti Kashaba Said & Anr. ...Respondents

Mr. V. V. Ugale for the Applicant.

Mr. S. M. Katkar for the Respondent No.3.

Mr. Rohit Sonawane i/b U. B. Withot for the Respondent Nos.2,
6, 7 and 9.

CORAM : A. A. SAYED, J.

DATE : 3 NOVEMBER, 2017

P. C.:

1. This Civil Application is taken out by the Applicant for the following reliefs:

- a. That this Hon'ble Court be pleased to set aside the abatement order against the Respondent No.8 passed on 27th January, 2017 by Hon'ble Registrar (Judicial – II) in Civil Application No.1398 of 2016 on

such terms and condition as this Hon'ble Court may deem fit and proper.

b. That this Hon'ble Court be pleased to condone the delay of 20 days in filing the present application on such terms and conditions as this Hon'ble Court may deem fit and proper.

c. That this Hon'ble Court be pleased to allow the applicants to carry out necessary amendment in Civil Applications as well as in Second Appeal by bringing the legal heirs and representative of the original Respondent No.8 on record on such terms and conditions as this Hon'ble Court may deem fit and proper.

2. The learned counsel for the Applicant points out that all the Respondents are served and affidavits of service have been filed. For the reasons stated in the Civil Application, the same is allowed in terms of prayer Clauses (a), (b) and (c). Amendment to be carried out within a period of two weeks.

3. List the Second Appeal for admission on 29th November 2017.

[A. A. SAYED, J.]