

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

**CIVIL APPLICAITON NO. 697 OF 2015
IN
SECOND APPEAL NO. 304 OF 2002**

Mr.Mathu Balaji Shinde,
since deceased, by his legal heirs,
Mr.Jaysing Mathu Shinde & Ors.

...Applicants/Appellants

vs.

Shri Tukaram Balaji Shinde,
since deceased through his legal heirs
& representatives

1. Smt.Babubai dattatraya Jagtap,
since deceased through her legal
heirs and representatives

1.1) Vijay Dattatray Jagtap & Ors.

...Respondents

Mr.J.M. Joshi for Applicants.

Mr.Mandar Limaye for Respondent Nos.1/1 to 1/3, 2 to 5 and 7.

CORAM : S.C. GUPTE, J.

24 FEBRUARY 2017

P.C.:

Heard learned Counsel for the parties.

The civil application is for bringing on record legal heirs of deceased Respondent No.1. Learned Counsel for Respondent Nos.1/1 to 1/3, 2 to 5 and 7 opposes the civil application. There is a substantial delay in taking out the present civil application. The delay is explained in the civil application. Taking an overall view of the matter and in the interests of justice, the delay is condoned and the civil application is allowed in terms of prayer clauses (a), (b) and (c). Amendment shall be carried out within two weeks from today.

(S.C. GUPTE, J.)