

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

**CIVIL APPLICATION NO.874 OF 2017  
IN  
SECOND APPEAL NO.342 OF 2016**

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| 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. Y.B.Lengare i/b Ms.Suman Lengare for the applicant

Mr.Sarvadnya Kadtane i/b Mr.Kuldeep Nikam for the respondent nos.1 to 5

**CORAM : K. K. TATED, J.**

**DATE : DECEMBER 18, 2017**

**P.C.:**

1. Heard the learned counsel for the parties.
2. This application is for bringing legal heirs on record of deceased appellant no.1, Nivrutti Shripati Kharat who died on 12/1/2017.
3. Civil Application is filed within time.
4. Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application and as Application is filed within limitation, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

A) Civil Application is allowed in terms of prayer clause (a) which reads thus:

*“(a) That this Hon'ble Court be pleased to substitute the Applicant Nos.1(a) to 1(d) as the heirs and legal representatives of the Appellant No.1, on record and the Applicants be permitted to pursue the Second Appeal No.342 of 2016.”*

B) The Applicant is directed to carry out amendment on or before 12.1.2018, failing which the Civil Application shall stand dismissed without further reference to the court.

C) If amendment is carried out within stipulated time as stated hereinabove, the Applicant is directed to serve an amended copy of the Second Appeal and pending Civil Application if any, on the Advocate for the other side, immediately thereafter.

D) Civil Application stands disposed of accordingly.

**(K.K.TATED, J.)**