

Shephali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**CIVIL APPLICATION NO. 2151 OF 2009**  
**IN**  
**FIRST APPEAL (ST) NO. 11751 OF 2009**

|                            |                |
|----------------------------|----------------|
| New India Assurance Co Ltd | ...Applicant   |
| <i>Versus</i>              |                |
| Lissy Francis & Ors        | ...Respondents |

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**Mr IR Kulkarni**, *for the Applicant.*  
**Mrs SV Sonawane**, *for Respondents Nos. 1 & 2.*

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**CORAM: G.S. PATEL, J**  
**DATED: 2nd August 2017**

**PC:-**

1. Respondent No. 5, the mother of the deceased has herself passed away. Her heirs and legal representatives are to brought on record. She died on 12th March 2009.
  
2. Leave to amend to bring on record the heirs and legal representatives of respondent No. 5. The names of the heirs will be communicated by Mrs Sonawane, who appears for respondents Nos. 1 & 2, on or before 31st August 2017. Amendment to be carried out without need of separate civil application or reverification on or before 22nd September 2017.

3. There is a delay of 213 days in filing the First Appeal. The delay is sufficiently explained in the Civil Application. It is condoned.

4. The Civil Application is made absolute and disposed of accordingly. No costs.

**(G. S. PATEL, J)**