

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 1353 OF 2017

IN

WRIT PETITION No. 3101 OF 2016

Shri Dashrath @ Purushottamdas Shamdas
Bairagi

....Applicant

Vs.

Shri Pundlik Ambu Mahale
since deceased
through LR's and Ors.

...Respondents

Mr. Rahul D. Motkari for Applicant

Mr. Satyajit P. Dighe for Respondents

CORAM: M.S.SANKLECHA, J.

DATE : 27th SEPTEMBER, 2017.

P.C:-

1. Mr.Satyajit R. Dighe, learned counsel appearing for all the respondents including the proposed Respondent and undertakes to file his Vakalatnama within a week from today.

2. This civil application has been taken out to condone the delay of 365 days for bringing the legal heirs of the deceased – Original Respondent No.2 on record and setting aside the abatement of the present proceeding.

3. For the reasons indicated in the civil application, the delay to bring the legal heirs of Original Respondent No.2 is condoned. The civil application is allowed in terms of prayer clauses (a) and (b).

4. Amendment to be carried out within two weeks. Amended copy be served upon all the Respondents including the newly added Respondent.

Civil Application is disposed of.

(M. S. SANKLECHA,J.)