

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

CIVIL APPLICATION NO.925/2017
IN
SECOND APPEAL NO.406/2007

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. M. M. Sathaye for the Applicant
Mr. Rajesh Parab for Respondent No.2A and 4A.
Mr. Suhas S. Deokar i/b. C. G. Gawanekar for Respondent No.5.

CORAM : K. K. TATED, J.
DATE : DECEMBER 20, 2017

P.C.:

1. Heard. This Application is for bringing the legal heirs on record of deceased Respondent No.4 Smt. Hamidabegum Gaiassuddin Pirjade by condoning the delay of 3 years and 12 days in making the Civil Application.

2. The learned counsel for the legal heirs of deceased Respondent No.4 has no objection if the Civil Application is allowed.

3. Hence, following order is passed.

a. Abatement is set aside.

- b. Delay is condoned.
- c. The Applicant is permitted to bring on record the legal heirs of deceased Respondent No.4 in the Second Appeal on or before 19.01.2018 failing which the Civil Application shall stand dismissed without further reference to the court.
- d. If amendment is carried out within stipulated time as stated hereinabove the Applicant to provide amended copies of the Second Appeal to the advocate for the legal heirs of deceased Respondent No.4 and other Respondents.

JUDGE