

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

**CIVIL APPLICATION NO. 2626 OF 2013
WITH
CIVIL APPLICATION NO. 1829 OF 2013
IN
WRIT PETITION NO. 10901 OF 2011**

Smt. Shobha Satishchandra Sawant .. Applicant

v/s.

Shri Balasheb Kondiba Magar & Ors. .. Respondents

Mr. Ashok B. Tajane for the applicant

Mr. G.H. Keluskar for respondent nos. 2 and 3

Mr. Kirankumar J. Phakale for respondent nos. 6 to 8

**CORAM : M.S. SANKLECHA, J.
DATED : 26th SEPTEMBER, 2017**

P.C.

1. The Civil Application No.1829 of 2013 was taken out by the applicant to describe the respondent no.9, who is already arrayed in the petition, as a party respondent in an independent capacity be now also described as legal heir of respondent no.5. The Civil Application is allowed. Amendment to be carried out forthwith. Re-verification is dispensed with.

2. So far the Civil Application No.2626 of 2013 is concerned, the same has been taken out for condoning the delay of 180 days in

taking out the Civil Application No.1829 of 2013.

3. For the reasons indicated in the application, the delay of 180 days in taking out Civil Application No.1829 of 2013 is condoned.
4. The Civil Application No.2626 of 2013 is allowed in terms of prayer clause (a).
5. Both the Civil Applications are disposed of in the above terms.
6. Mr. Pakhale, learned Counsel for respondent nos.6 to 8 waives service of the Rule in the petition.

(M.S. SANKLECHA, J.)