

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

**CIVIL APPLICATION NO. 895 OF 2017
IN
SECOND APPEAL NO. 399 OF 1996**

Ramesh Tukaram Nandvilkar
(since deceased through his LRs) ... Applicants
Versus
Nivruti Ramchandra Havare
(since deceased through his LRs) ... Respondents

Mr.P.G. Karande for the Applicants/Appellants.
Mr.C.K. Bhangoji for the Respondents.

CORAM: S.J. KATHAWALLA, J.

DATE: 30th JUNE, 2017

PC.:

1. Mr.C.K. Bhangoji undertakes to file Vakalatnama on behalf of the newly added Respondents. The newly added Respondents are present in Court. By consent, Civil Application No.895/16 is allowed in terms of prayer clause (a), which is reproduced as under :-

"(a) This Honourable Court be pleased to set aside abatement caused on account of death of the Respondent and be pleased to allow the Applicants to carry out amendment by adding the words 'since deceased through his heirs and legal representatives' against the name of the

Respondent and to bring on records names of newly added Respondents as legal heirs and legal representatives of the Respondent by carrying out amendments and consequential amendment wherever necessary."

2. Amendment be carried out on or before 3rd July, 2017. The above Civil Application No.895 of 2017 is accordingly disposed off.

(S.J.KATHAWALLA, J.)