

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1728 OF 2017
IN
WRIT PETITION NO.1468 OF 1995

Smt. Indira Rani Applicant
through C.A.,
Ugarsen Nandlal Punjabi

Vs.

Shri. N.D. Mistry Respondents
(since deceased) thru' Legal heirs and
representatives, Nirmalaben Mistry
& Ors.

Ms. Nazia Shaikh i/by Mr. P.J. Thorat, Advocate for the Applicant.
Mr. K.L. Koli, Advocate for the Respondents.

CORAM : G.S. KULKARNI, J.

DATE : 27 JULY, 2017

P.C. :

1 By this civil application, the applicants (original petitioners) are praying for setting aside of the abatement of Writ Petition No.1468 of 1995 as against the sole respondent with a further prayer that the proposed respondent nos.1a to 1e be permitted to be brought on record being the legal heirs of deceased respondent no.1.

2 There is delay of 55 days in filing this civil application. The reasons as set out in the civil application is a satisfactory explanation for the delay in filing the civil application to be condoned. Delay is accordingly condoned. Considering the averments as made in the civil application, the civil application is allowed in terms of prayer clause (c). Necessary amendments be carried out within a period of two weeks from today and amended copy of the petition be served on the proposed respondents.

3 List this petition on the final hearing board in the week commencing from 14th August, 2017.

(G.S. KULKARNI, J.)