

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 1104 OF 2017
IN
SECOND APPEAL NO. 719 OF 2015

Ms.Vidya Hundraj Jagwani and others ... Applicants

In the matter between :

Hundal Anandram Jagwani ... Appellant

Versus

Suresh Narayandas Jagwani and others ... Respondents

Ms.Bhagyashree Bhosale i/b. Nitin Deshpande for the Applicants.
None for the Respondents.

CORAM : S.J. KATHAWALLA, J.
DATED : 18th AUGUST, 2017

P.C.:

1. The Advocate for the Applicants states that the above Civil Application No.1104 of 2017 is taken out for condonation of delay of 208 days in filing the application for bringing legal heirs of deceased Appellant on record. None for the Respondents though served.
2. For the reasons set out in the Civil Application No.1104 of 2017, the said Application is allowed in terms of prayer clauses (a) and (b), which are reproduced as under:

“(a) this Hon'ble Court may condone the delay of 208 days in filing this application for bringing legal heirs on record and set aside the order of abatement of Appeal ;

(b) the Applicants may be permitted to be brought on record of the Second Appeal Stamp No.9852 of 2015.”

3. Amendment to be carried out within two weeks from today.
4. The Advocate for the Applicants shall serve a copy of amended Second Appeal alongwith a copy of this order on the Advocate for the Respondents.
5. The above Civil Application No.1104 of 2017 is accordingly disposed off.
6. Place the above Second Appeal for admission on 04.09.2017, high on board.

(S.J.KATHAWALLA, J.)