

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO. 145 OF 2015
WITH
CIVIL APPLICATION NO. 279 OF 2015
CIVIL APPLICATION NO. 1324 OF 2017

Dnayanu Bala Patil
since deceased through his LRs
Vitthal Dnyanu Patil and others

... Appellants

Versus

Hindurao Bandu Patil and others

... Respondents

Mr. M.J. Chetiwal i/by Mr.S.M. Kamble for the Appellants and Applicants in both the Civil Applications.

Mr.Umesh Pawar for the Respondent Nos.2(b) and 2(c).

CORAM : S.J. KATHAWALLA, J.
DATED : 13th SEPTEMBER, 2017

P.C.:

1. Perused the above Civil Application No.1324 of 2017. The same is allowed in terms of prayer clauses (a) and (b) which are reproduced as under :-

“(a) That the Applicants be permitted to amend the cause title of the Second Appeal by correcting the name of Respondent No.3(e).

(b) That the Applicants be permitted to serve fresh notice to Respondent No.3(e) on her correct name.”

Amendments to be carried out by tomorrow i.e. upto 14.09.2017. The above Civil Application No.1324 of 2017 is accordingly disposed off.

2. The Advocate for the Appellants/Applicants shall serve a copy of the above Second Appeal alongwith a copy of the above Civil Application No.279 of 2015 as well

as a copy of this order on the Respondent Nos.3(c) and 3(e) by Speed Post/Registered Post A.D. and/or by hand-delivery and file an Affidavit proving service on the adjourned date.

3. The Learned Advocate for the Respondent Nos.2(b) and 2(c) states that the Respondent No.1 has also passed away and that he shall provide the names of the legal heirs of the deceased Respondent No.1 to the Advocate for the Appellants/Applicants. The Advocate for the Appellants/Applicants shall forthwith take out a Civil Application to bring the legal heirs of the deceased Respondent No.1 on record.
4. Stand over to 22.09.2017 for directions.

(S.J.KATHAWALLA, J.)