

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

CIVIL APPLICATION NO. 2927 OF 2016

IN

WRIT PETITION NO. 4257 of 2016

Shankarrao Narshigrao Shinde (deceased through L.Rs) ..Vs.. Shri
Krishnarao Dhondiram Shinde & Ors.

Office Notes, Office Memorandum of appearances, Court's orders or directions & Registrar's orders.	Court's or Judge's orders
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None for Applicant.

Later on

Mr. Vijayanand Shinde for Applicant
mentioned.

CORAM : K. K. TATED, J.
DATE : AUGUST 01, 2017.

P.C. :

. In the first round, matter was called out. At the request of learned Counsel for Applicant, matter was kept back to enable him to go through the case papers. Again this matter was called out. No one appeared on behalf of Applicant.

2. Hence, the Civil Application stand dismissed for default

L.O.

3. The learned Counsel Mr. Shinde for Applicant has mentioned the matter.

4. Considering the submission, earlier order is recalled. Matter is restored on file for hearing on its own merits.

5. This application is for bringing the legal heirs on record of Petitioner No. 1-E Sharadha Hanmant Dhumal, who died on 26th July, 2016. Hence, Civil Application is filed on 20th October, 2016 i.e. within 90 days which is within limitation.

6. Considering the submission made by the learned Counsel for Applicant and the averments made in Civil Application, I am satisfied that Applicant has made out the case for following order.

ORDER

(a) Applicant is permitted to bring on record the legal heirs of deceased Petitioner No. 1-E Shardha Hanmant Dhumal in Writ Petition No. 4257 of 2016.

(b) Amendment to be carried out within six weeks from today, failing which, Civil Application shall stand dismissed without reference back to the Court.

(c) Civil Application stand disposed of accordingly.

(K.K.TATED, J.)