

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3909 OF 2016
IN
FIRST APPEAL NO. 1013 OF 2009

Vijay Madhukar Kolwankar & Ors.	..	Applicants / Appellants
vs.		
Chandrakant D. Lad,		
since deceased, through L.Rs.	..	Respondents
And		
Pallavi Rakesh Barde & Ors.	..	Prop. Respondents.

Ms B. Belkar for Applicants / Appellants.
Mr. Suresh Dubey for Respondent No. 2.

CORAM : M. S. SONAK, J.
DATE: 23 JANUARY 2017

P.C :

1] Heard learned counsel for the applicants. She points out that respondent no. 1 has expired and by this civil application, which is taken out within the prescribed period of limitation, the applicants seek to bring on record the legal representatives of deceased respondent no. 1.

2] Mr. Suresh Dubey appears for respondent no. 2 and states that he will also file appearance on behalf of legal representatives of respondent no. 1 in due course of time. He submits that the matter is quite old and the applicants are enjoying suit premises without paying any additional compensation.

3] Since, the application for bringing legal representatives has been taken out within prescribed time, there is no reason to disallow the same. Accordingly, civil application is allowed. Necessary amendment to be carried out within two weeks from today and copy of the amended appeal memo to be served upon Mr. Dubey.

4] Mr. Dubey states that he will file vakalatnama on behalf of legal representatives of respondent no. 1. In view of such statement, there shall be no further necessity of service upon legal representatives of respondent no. 1.

5] Civil application is disposed of.

(M. S. SONAK, J.)

Chandka