

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (STAMP) NO. 33894 OF 2016
IN
FIRST APPEAL NO. 2000 OF 2005

Municipal Corporation of Gr. Mumbai	..	Applicant
<u>In the matter between :</u>		
Municipal Corporation of Gr. Mumbai	..	Appellant
VS.		
Bhaskar G. Bhandari (deceased)		
Namdeo G. Bhandari & Ors.	..	Respondents

Ms M. R. Bhoir for MCGM - Applicant.

Mr. K. Amin i/b. S. K. Srivastav & Co. for Respondent Nos. 1 to 8.

CORAM : M. S. SONAK, J.
DATE: 14 FEBRUARY 2017

P.C :

1] There is no reply filed by any of the respondents opposing the civil application. Civil application seeks to bring on record legal representatives of deceased respondent no. 6. There is substantial delay. However, the explanation given is that the MCGM was made aware of the demise of the respondent no. 6 only on 7 October 2016 by a letter addressed by Advocate Mr. Dilip R. Keni. This is sufficient explanation and accordingly, this civil application is allowed. Delay is condoned. Abatement is set aside. Leave is granted to bring on record legal representatives of respondent no. 6. Necessary amendment to be carried out within four weeks from today.

2] Civil application is disposed of.

(M. S. SONAK, J.)