

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAS) NOS.724 & 725 OF 2017
IN
SECOND APPEAL NO.131 OF 2004

Daulatabai Shahabuddin Sattani and anr.

-vs-

Kulshambai wd/o Allibhai Ajani

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri A. Khare, Advocate for applicants.

Shri R. L. Khapre, Advocate for non-applicant No.1.

CORAM : A.S.CHANDURKAR, J.

DATE : AUGUST 16, 2017

By these applications it is prayed that the delay in bringing on record the legal heirs of appellant No.1 be condoned.

In the application it is stated that after the appeal was admitted, the appellant No.1 expired on 30/03/2010. The appellant No.2 who is the son of appellant No.1 is already on record and therefore it is prayed that the other legal heirs be permitted to be brought on record.

The application is opposed by learned counsel for the non-applicant No.1. It is submitted that the reasons assigned are not satisfactory and the delay as caused is for a long period.

Considering the fact that the appellant No.2 who is the son of appellant No.1 was already on record, it is clear that the estate of the deceased was represented.

Hence accepting the reasons mentioned in the application, the delay stands condoned. The legal heirs are permitted to be brought on record. Amendment be carried out within a period of one week.

Civil applications are disposed of.

JUDGE