

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.414/2018
IN
CIVIL REVISION APPLICATION NO. 331/2108

Nilima Nandkishor Dubal ... Applicant

V/s.

Sampatrao Dattatray Mane & Ors. ... Respondents

Mr. Vinayak Kumbhar i/b. Sagar A. Mane for the Applicant
Mr. Abhijit M. Adagule for Respondent No.1.

CORAM: K.K. TATED, J.

DATED : DECEMBER 5, 2018

P.C. :

1 Heard. By this Civil Application, the Applicant seeks permission to bring the legal heirs on record of deceased Respondent No.2 Balasaheb Dattatray Mane who died on 28.11.2017.

2 The learned counsel for the Respondents submits that he received instructions from the legal heirs of deceased Respondent No.2 to appear in the present proceedings. He further submits that they have no objection for condonation of delay and bring the legal heirs of deceased Respondent No.2 on record.

3 Considering the submissions made by the learned counsel

for the Applicant and as the advocate for the legal heirs of deceased Respondent No.2 is appearing in the matter, following order is passed:

- a. Abatement is set aside.
- b. Delay in making the Civil Application is condoned.
- c. The Applicant is allowed to bring on record the legal heirs of deceased Respondent No.2 in the Civil Revision Application on or before 11.01.2019, failing which the Civil Application shall stand dismissed without further reference to the court.
- d. If amendment is carried out within stipulated time as stated hereinabove, the Applicant is directed to serve an amended copy of the Civil Revision Application on the Advocate for the legal heirs of deceased Respondent No.2, and other Respondents immediately thereafter.
- e. Civil application stands disposed off accordingly.

(K. K. TATED, J.)