

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

**CIVIL APPLICATION NO. 1413 OF 2018
WITH / IN
CIVIL APPLICATION NO. 953 OF 2017
IN
WRIT PETITION NO. 9800 OF 2012**

Nandu Maruti Pol and another ... Applicants

IN THE MATTER BETWEEN

Nandu Maruti Pol and another ... Petitioners

Versus

Satishkumar Satyanarayan Agarwal
since deceased through his L.Rs.

a) Smt. Meena Satishkumar Agarwal & others ... Respondents

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Mr. Madhav J. Jamdar for the Applicants.

Mr. Drupad S. Patil for Respondents.

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CORAM : MRS. MRIDULA BHATKAR, J.

DATE : 6th JULY, 2018.

P. C.:

1. Learned Counsel for the applicants submits that by order dated 6th October, 2016 Writ Petition No. 9800 of 2012 was dismissed by this Court as the Petitioners could not bring on record the legal heirs of the deceased Respondent-Decree holder within time. Learned Counsel submits that he has moved Civil

Application No.953 of 2017 for bringing the legal heirs of the sole Respondent – Satishmukar Satyanarayan Agarwal, who expired on 17th January, 2016 on record. He submits that delay, if any, be condoned, as the application was filed within 45 days from the knowledge of the death of the sole Respondent. Learned Counsel for the Respondents submits that he has no objection if the legal representatives of sole Respondent are brought on record.

2. In view of the uncontroverted submissions, the delay is condoned. The Civil Applications are allowed and disposed of accordingly. Writ Petition is restored to file. The legal representatives be brought on record within two weeks.

(MRIDULA BHATKAR, J.)