

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.671 OF 2017
IN
SECOND APPEAL NO.1189 OF 2004

Anandrao Dyandeo Darwan (Since Deceased),

Through LRs.:-

Suman Anandrao Darwan and Ors.

.... Applicants

V/s.

Chandrakant Dnyandeo Darwan,

(Since Deceased), through LRs.:-

Suvarna Chandrakant Darwan and Ors.

.... Respondents

Mr. Sarthak Diwan, I/by Mr. A.M. Kulkarni, for the Applicants.

Mr. Ashish P. Pawar for the Respondents.

CORAM : DR. SHALINI PHANSALKAR-JOSHI, J.

DATE : 1ST AUGUST, 2018.

P.C. :

. Not on Board. Upon mentioning, taken on Board.

2. This is an application to bring on record the legal heirs of deceased Respondent No.3, by condoning the delay of 3 years 243 days caused in preferring the application and for setting aside the abatement.

3. Learned counsel for the Respondents submits that, he has no objection to allow this Civil Application.

4. In view thereof, the Civil Application is allowed. The delay is condoned. The abatement is set aside. Learned counsel for the Applicants to carry out necessary amendment, to bring on record the legal heirs of deceased Respondent No.3, within a period of three weeks from today.

5. Second Appeal No.1189 of 2004 be added to the “Final Hearing Board” in the week commencing from 4th September 2018.

6. Civil Application is disposed off in the above terms.

[DR. SHALINI PHANSALKAR-JOSHI, J.]