

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION (STAMP) NO.5588 OF 2017
IN
SECOND APPEAL NO.744 OF 2002

Jaysing Bhausahab Darvan (Since Deceased),

Through LRs.:-

Deepak Anandrao Darwan and Anr.

.... Applicants

V/s.

Ashok @ Subhash D.H. Dnyandeo Darvan

(Since Deceased), through LRs.:-

Lata Subhash Darvan 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.2, by condoning the delay of 3 years and 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.2, within a period of three weeks from today.

5. Second Appeal No.744 of 2002 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.]