

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 574 OF 2017
IN
SECOND APPEAL No. 138 OF 1997

Smt. Sagunabai Shankar Pandit (Decd)
through Sudhakar Shankar Pandit (Decd)
through LRs Smt. Shantabai Sudhakar
Pandit & Ors.

... Applicants

Vs.

Prakash Sadashiv Ghamandi (Decd)
through LR Pradnya Prakash Ghamandi
& Ors.

... Respondents

Mr. Vikram Walawalkar i/b. Mr. S.M. Sabrad, Advocate for the
applicants.

Mr. Rishin Mantri i/b. Mr. S.B. Shetye, Advocate for respondent nos.
1A to 1C.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 13th April, 2018.

P.C.:

This Application is moved by the applicants for bringing legal of
deceased Appellant no. 1A-Sudhakar Shankar Pandit, who expired
on 14th November, 2015.

2. The learned counsel for the applicants submitted that the delay
is caused, as the applicants were not aware about the procedure.
He submitted that the delay caused in filing this Application is neither
deliberate nor intentional. The right to sue survives and the Appeal is

already admitted. Hence the delay be condoned and legal heirs of appellant no. 1A be taken on record.

3. The learned counsel for the respondents is present and submits to the order of the Court.

4. In view of this, delay as prayed is condoned. The legal heirs of deceased appellant no. 1A, i.e. 1A(i) to 1A(v) are brought on record. The amendment to be carried out by the learned counsel for the applicants within one week from today.

5. Civil Application is allowed and is disposed of accordingly.

(MRIDULA BHATKAR, J.)