

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

**CIVIL APPLICATION NO. 1609 OF 2016
IN
SECOND APPEAL NO. 455 OF 2015**

Aba Sagu Jagdale

Through POA Sou. Shakuntala Aba Jagdale ... Applicant

V/s.

Shantaram Sagu Jagdale & Ors. ... Respondents

- Mr.Vasant D. Raut for the Applicant.
- Mr.M.V. Rawool i/b. Mr.Avinash B. Avhad for Respondent Nos.3, 5 to 11, 13 to 15.

CORAM : DR.SHALINI PHANSALKAR-JOSHI, J.

DATE : 6th JUNE, 2018.

P.C. :

1] This application is filed to bring the legal heirs of Respondent No.15 on record. Learned counsel for the Applicant submits that he has filed the Affidavit of service of notice on the proposed legal heirs, however they have not appeared.

2] Considering that sufficient cause is made out for condonation of delay of 319 days in bringing the names of legal heirs on record, the Civil Application is allowed. The delay is condoned and

the abatement, if any, is set-aside. The Applicant/Appellant to carryout necessary amendment in the Appeal Memo for brining the legal heirs of Respondent No.15 on record within three weeks from the date of the order.

3] The Civil Application is disposed of in above terms.

[DR.SHALINI PHANSALKAR-JOSHI, J.]