

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 647 OF 2018
IN
CIVIL REVISION APPLICATION NO. 688 OF 2013

Mr. Sanjeev Gaurishankar Oak	.. Applicant
<i>Versus</i>	
Sudhir Gopal Dhaigude and Ors.	.. Respondents

Mrs. Chandana Salgaokar for the Applicant.
Mr. Sumit Sonar I/b D.J. Dalal for Respondent No. 2, 5, 6 and 7.

CORAM : K.K. TATED, J.

DATE : 28 NOVEMBER 2018.

P.C:-

. Heard learned Counsel for the parties.

2. Learned counsel for the applicant submits that the present civil application is filed for bringing legal heirs on record of respondent No. 6 and also respondent No. 9. She submits that present civil application be treated for bringing legal heirs on record of respondent No.6 only. She seeks liberty to file a fresh civil application for same cause of action for bringing legal heirs on record of deceased respondent No.9. Same is permitted.

3. Learned Counsel for the applicant submits that respondent No.6 Neelam Mahesh Dhebe died on 15.07.2018. She submits that the present civil application filed on 11.10.2018 i.e. within time.

4. Considering the submissions made by the learned Counsel for the applicant and as the present civil application is filed within time, I am satisfied that the applicant has made out case for following order :-

- a) Applicant is permitted to bring legal heirs on record of deceased respondent No.6-Neelam Mahesh Dhebe in CRA No. 688 of 2013 on or before 21.12.2018, failing which civil application stands dismissed.
- b) If amendment is carried out within stipulated time, applicant is permitted to serve the amended copy of CRA No. 688 of 2013 on respondent or their advocates.
- c) Applicant is directed to serve the copy of amended CRA No. 688 of 2013 on added respondents by private notice along with entire proceeding either by RPAD and or by hand delivery and file affidavit of service to that effect.
- d) Applicant is permitted to file fresh civil application for bringing legal heirs on record of deceased respondent No.9.-Suhas Gopal Dhaigude.
- e) Civil application stands disposed of.
- f) No order as to costs.

(K.K. TATED, J.)