

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

**CIVIL APPLICATION NO.316 OF 2018
IN
CIVIL REVISION APPLICATION NO.145 OF 2010**

Murlidhar Dharmaji Jagtap .. Applicant

V/s.

Chandrabai Limbaji Jagtap .. Respondents

Mr.S.P.Thorat for the applicant

Mr.Sachin Chavan i/b Mr.S.S.Kulkarni for the respondent no.1

CORAM: K.K. TATED, J.

DATED : NOVEMBER 26, 2018

P.C. :

1 Heard the learned counsel for the parties.

2 By this Application Applicant is seeking condonation of 117 days delay in filing the Civil Application for bringing legal heirs on record of deceased sole Respondent who died on 13.05.2017.

3 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. Hence, following order:

A) Delay in filing Civil Application is condoned.

B) Applicant is permitted to carry out amendment in Civil Revision Application No.145 of 2010 as per prayer clause (b) and (c) on or before 07.12.2018, failing which the Civil Application shall stand dismissed without further reference to the court.

C) If amendment is carried out within stipulated time as stated hereinabove, Applicant is permitted to serve added Respondent along with entire proceedings by private notice either by registered post A.D. and/or by hand delivery and file Affidavit of Service to that effect within eight weeks thereafter.

D) Civil application stands disposed of accordingly.

(K.K. TATED, J.)