

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

**CIVIL APPLICATION NO.307 OF 2018
(for legal heirs of Appellant no.1C)
in
SECOND APPEAL NO. NO.1005 OF 2012**

1.Sevantabai Bhimji Gaikwad through
her heirs and legal representatives ...Applicants
vs
1.Ramchandra Bansaraj Jaisware & ors ...Respondents

Mr.Dilip Bodake for Applicants
Mr.H.S.Venegaonkar for Respondent no.2

CORAM : A.M.DHAVALA, J

DATED :27TH AUGUST, 2018

P.C. :

Heard learned advocates.

2. It is a suit for possession on the basis of title. Some co-owners can also file a suit against the tress-passers. The wife of the appellant (Original plaintiff) one Aruna has died on 25.4.2017. An application for bringing LRs is filed on 18.12.2017. There is a delay of 148 days. As per provisions of Order 22 of the Code of Civil Procedure 1908, it does not appear that her death will cause any abatement. Hence, delay is condoned.

3. The application for bringing LRs on record is allowed.
Amendment be effected within two weeks. Stand over to 10.9.2018.

{A. M. DHAVALE, J}