

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

**CIVIL APPLICATION NO.257 OF 2019
IN
SECOND APPEAL NO.349 OF 2017**

Shivaji Jagannath Wadkar & Ors. .. Applicants

In the matter between

Jagannath Dagadu Wadkar & Ors. .. Appellants

Vs.

Bhamabai @ Satyabhama

Govind Shinde & Ors. .. Respondents

Mr.S. S. Shah i/by Mr.A.V. Borwankar for the applicants.

Mr.Sachin S. Punde for the respondent nos.2 to 5.

CORAM : R.D.DHANUKA, J.

DATE : 16th September 2019

P.C.:

. By this civil application, the applicants seek condonation of delay in filing civil application, for setting aside abatement against the respondent no.1, for bringing the legal heirs of the appellant no.1 and for setting aside the abatement against the appellant no.1.

2. Learned counsel for the respondent nos.2 to 5 (original plaintiffs) states that his clients have no objection if the civil application is allowed. Statement is accepted. He states that the legal heirs of the respondent no.1 are already on record.

3. For the reasons recorded in the civil application, civil

application is made absolute in terms of prayer clauses (a) to (f).
Amendment to be carried out within one week from today. Amended
copy of the second appeal shall be served upon the learned counsel for
the respondent nos.2 to 5. No order as to costs.

R.D.DHANUKA, J.