

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1067 OF 2019
IN
FIRST APPEAL NO.165 OF 2003**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Shashank V. Choudhary I/b Mr. Sachin Masurkar.

Mr. Rubin Vakil I/b Durgesh Kulkarni for respondent Nos.3 and 4.

Mrs. Madhuri More for BMC in both the matters.

**CORAM : K. K. TATED, J
DATE : MARCH 26, 2019**

P.C.:

. Heard learned Counsel for parties.

2. By this Civil Application, applicant is seeking permission to bring the legal heirs on record of deceased sole appellant Mr. Roshanali Gulamhussain Japanwala., who died on 18.10.2017.

3. There is delay in filing Civil Application.

4. Considering the submissions made by learned Counsel for the applicant, averments made in Civil Application, I am satisfied that the applicant has made out case for allowing this Civil Application. Hence, following order :-

- a) Delay in filing Civil Application is condoned.
- b) Applicant is permitted to bring the legal heirs on record of deceased sole appellant- Roshanali Gulamhussain Japanwala in First Appeal No.165 of 2003 on or before 26.04.2019, failing which Civil Application shall stand dismissed without reference to the Court.
- c) If amendment is carried out within time, applicant is permitted to serve the amended copy of the Appeal memo on other side immediately thereafter.
- d) Civil Application stands disposed of accordingly.
- e) No order as to costs.

Sd/-
(K.K.TATED, J.)