

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

**CIVIL APPLICATION NO. 237 OF 2018
IN
SECOND APPEAL NO.479 OF 2016**

Balkrishna Gangaram Chavan ... Applicant
Versus

Shantaram Bhikaji Chavan
deceased through his legal heirs

1a) Shalini Shantaram Chavan and others ... Respondents

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Mrs. Indrayani M. Koparkar for the Applicant.

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CORAM : SANDEEP K. SHINDE, J.

DATE : 21st FEBRUARY, 2019.

P. C.:

1. It is an application to bring legal heirs of deceased respondent No.1 on record, who died on 18th April, 2016.

2. Heard learned Counsel for the applicant.

3. It is submitted that, pending this Civil Application, proposed respondent No.1(a) died on 29th March, 2018. The death certificate issued by the competent authority is taken on record and marked "X" for identification. It is submitted that the legal representatives of respondent No.1(a) are already on record. In view of this leave to amend is granted to delete the name of respondent No.1(a) i.e. Shantaram Bhikaji Chavan from the cause title.

4. The sufficient cause is shown for condoning the delay of a year and 206 days in preferring this application. That, for the reasons stated in the application, the delay is condoned and the application is allowed in terms of prayer clauses (a) and (b).

5. The appellant shall carry out consequential amendments within a period of fourteen days from today.

6. Civil Application is disposed of.

(SANDEEP K. SHINDE, J.)

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1. Heard learned Counsel for the appellant.
2. Issue notice to respondent Nos. 1(b) to 1(d) and 2(A) to 2(E), returnable on 29th March, 2019.

(SANDEEP K. SHINDE, J.)