

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application No.1299/2014
in
First Appeal No.936/2013

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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Mrs. Tanaya Goswami, AGP for the Applicant

Ms. Rajlakshmi Punjabi I/b. Anil Ahuja for Respondent Nos.1A to 1C and 2.

CORAM : K.K.TATED, J.
DATED : JUNE 3, 2019

P.C.

1 Heard. This application is for bringing legal heirs on record of deceased Respondent No.1 Gulab Chandra Thakare, who died on 21.08.2013 by condoning the 69 days delay in filing the Civil Application.

2 The learned counsel for the Respondent submits that the advocate on record is not keeping well. She seeks some time.

3 It is to be noted that there is no Affidavit-in-Reply filed by the Respondent till today. Therefore, there is no question

of adjourning the matter.

4 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.

5 Hence, the following order:

a) Delay in making the Civil Application is condoned.

b) The Applicant is permitted to bring the legal heirs on record of deceased Respondent No.1 in the First Appeal on or before 29.06.2019, 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, the Applicant to serve the amended copy of the First Appeal to the Respondent and file an Affidavit of service to that effect.

d) Civil application stands disposed off accordingly.

e) No order as to costs.

(K.K.TATED, J.)