

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Civil Application (ST) No.4144/2019
in
First Appeal No.1319/2017

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
Mr. Jatin Sahai I/b. M/s. C.K. Legal for the Applicant Mrs. Roma Bhende I/b. Swati P. Gautam for Respondent Nos.1 to 7.	

CORAM : K.K.TATED, J.
DATED : JUNE 18, 2019

P.C.

1 Today the matter is placed on board for speaking to the minutes of order dated 02.04.2019.

2 In cause title, instead of Civil Application **No.2463/2018** it should be Civil Application **(ST) No. 4144/2019.**

3 Order dated 02.04.2019 stands corrected accordingly. Rest of the order shall remain as it is.

4 Time to carry out amendment is extended till 20.07.2019.

4 Corrected order dated 02.04.2019 reads
thus:

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

**CIVIL APPLICATION (ST) NO. 4144 OF 2019
IN
FIRST APPEAL NO. 1319 OF 2017**

Shri. Ravindra Savlaram KashikarApplicant

V/s.

Shri. Arun Savlaram Kashikar and othersRespondents

Mr. Jatin Sahai i/b M/s. C. K. Legal for applicant/appellant
Ms. Roma Bhende holding for Mrs. Swati Gautam for
respondent nos. 1 to 7.

CORAM : K. K. TATED, J.

DATE : APRIL 2, 2019.

P.C.

Heard the learned counsel for the parties.

2 By this Civil Application, applicant is seeking
permission to bring legal heirs on record of deceased
Respondent no. 7 Deepali Dinanath Sahamate who died on
05/09/2018.

3 The learned counsel Ms. Bhende submits that she has received instructions to appear on behalf of legal heirs of respondent no. 7. She submits that they have no objection if Civil Application is allowed.

4 Considering the submissions made by the learned counsel for the applicant, averments made in Civil Application and as Advocate on behalf of legal heirs has no objection, I am satisfied that applicant has made out case for allowing Civil Application. Hence, following order:

(I) The delay in filing Civil Application is condoned.

(II) Abatement is set aside.

(III) Applicant is permitted to bring legal heirs on record of deceased respondent no. 7 in First Appeal no. 1319 of 2017 and pending Civil Application on or before 30/04/2019, failing which, Civil Application shall stand dismissed without referring back to the Court.

(IV) If amendment is carried out within stipulated time, Advocate for the applicant is directed to provide copy of amended First Appeal to all the respondents, immediately thereafter.

(V) The learned counsel appearing on behalf of legal heirs to file Vakalatnama in First Appeal.

(VI) Civil Application stands disposed of accordingly.

(VII) No order as to costs.

(K.K.TATED, J.)