

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.144 OF 2017
IN
CIVIL REVISION APPLICATION NO.342 OF 2016

Shri Sachin Balkrushna Kulkarni .. Applicants

Versus

The District Collector, Pune and Ors. .. Respondents

Mr.S.A. Rajeshirke for the applicant.

Ms. Dhvani Jain i/b Mr.Vikram Chavan for respondent Nos.5, 6, 7A and 8.

CORAM : K.K. TATED, J.

DATE : 10 JANUARY 2019.

P.C:-

. Heard 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-Gulab Maruti Bardade who died on 07.02.2016. There is delay in filing Civil Application. Learned Counsel appearing on behalf of respondent Nos. 5, 6, 7A and 8 submits that she received instructions to appear on behalf of legal heirs also. She undertakes to file Vakalatnama on behalf of legal heirs.

3. Considering the submissions made by the 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) Abatement set aside.
- c) Applicant is permitted to bring legal heirs on record of deceased respondent No.7 in Civil Revision Application No.342 of 2016 on or before 16.02.2019, failing which Civil Application stands dismissed without reference to the Court.
- d) If amendment is carried out within time, applicant is directed to serve amended copy of Civil Revision Application on other side immediately thereafter on or before 26.04.2019.
- e) Learned Counsel Ms. Dhvani Jain waives service on behalf of added respondent in Civil Revision Application No.342 of 2016.
- f) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)