

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

CIVIL APPLICATION NO.2893 OF 2018

IN

FIRST APPEAL NO.393 OF 1995

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.K.K.Pandey for the applicant

Ranee Gonsalves i/b Mr.T.R.Yadav for the
respondent no.3

**CORAM : K. K. TATED, J
DATE : APRIL 23, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant is seeking to delete name of Respondent no.1 from the cause title as he expired on 2.4.2017.

3 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.

4 Hence, following order:

A) Civil Application is allowed in terms of

prayer clause (a) and (b) which reads thus:

"(a) That this Hon'ble Court be please to condoned the delay 246 days for taking out the above Civil Application in the interest of justice.

(b) That this Hon'ble Court be pleased to permit the Applicant to delete the name of the Respondent no.1 in the cause of title."

B) Applicant to carry out amendment on or before 15.6.2019, 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, Applicant is directed to serve amended copy of appeal memo on either side immediately thereafter.

D) Civil application stands disposed of accordingly.

E) No order as to costs.

(K.K.TATED, J.)