

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

CIVIL APPLICATION NO.1253 OF 2019

IN

FIRST APPEAL NO.586 OF 2010

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr.Shrinivas Bobde a/w Ms.Priyanka Gidh i/b
TRD Associates for the applicant

Mr.Yogesh Dabake, A.G.P. for the respondent
no.1

Mr.S.R.Kulkarni for the respondent nos.4A,
5C, 6B, 7, 8, 11(B)

**CORAM : K. K. TATED, J
DATE : APRIL 1, 2019**

P.C.:

. Not on board. At the request of Advocate
for the applicant, matter is taken on board for
urgent orders.

2 By this Civil Application, Applicant is
seeking permission to bring legal heirs on
record of deceased Respondent no.3, 5a and 5f

in First Appeal No.586 of 2010 and consequential amendment and also for delay in filing Civil Application.

3 The learned counsel for the Respondent submits that he received instruction to appear on behalf of legal heirs of deceased Respondent nos.3, 5a and 5f. He submits that he already filed his Vakalatnama on behalf of all the legal heirs. He further submits that he do not have any objection if delay is condoned and Applicant is permitted to bring legal heirs on record of deceased Respondent as per Schedule on page 11 of the Civil Application.

4 Hence, by consent of Applicant and advocate for legal heirs of deceased Respondent, I am satisfied that Applicant has made out a case for allowing the Civil Application.

5 Hence, following order is passed

- a. Delay in filing Civil Application is condoned.
- b. Abatement is set aside.
- c. Applicant is permitted to bring legal heirs on record of deceased Respondent no.3, 5a and 5f in First Appeal No.586 of 2010 as per schedule on page 11 and consequential amendment on or before 26.4.2019, failing which Civil Application shall stand dismissed without referring back to the

court.

- d. If amendment is carried out within stipulated time as stated hereinabove Applicant to serve amended copy of First Appeal on other side.
- e. Civil Application stands disposed of accordingly.

(K.K.TATED, J.)