

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.157 OF 2017
IN
CIVIL REVISION APPLICATION NO.433 OF 2016

Mr.Dattatraya alias Babasaheb Dnyanoba Jadhav
and Ors. ... Applicants

Versus

Sou. Padma Jagannath Thombare and Ors. ... Respondents

Mr.P.B. Gujar for the Applicants.
Mr.U.S. Upadhyay for Respondent Nos.1, 3A to 3D, 6, 7.

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.3-Suman Digamber Shewale who died on 06.12.2016. There is a delay in filing Civil Application.

3. Learned Counsel appearing on behalf of respondents submit that he received instructions to appear on behalf of legal heirs of deceased respondent No.3 also. Same is accepted.

4. Considering the submissions made by the learned Counsel for the applicant, avernments made in Civil Application

and as advocate for respondents has no objection, 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) Abetment set aside.
- c) Applicant is permitted to bring legal heirs on record of deceased respondent No.3-Suman Digamber Shewale in Civil Revision Application No.433 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 stipulated time, applicant is directed to serve the amended copy of Civil Revision Application No.433 of 2016 on other side immediately thereafter on or before 30.04.2019 and file affidavit of service to that effect.
- e) Learned Counsel Mr. U.S. Upadhyay waives service on behalf of legal heirs of respondent No.3 in Civil Revision Application No. 433 of 2016.
- f) Civil Application stands disposed of accordingly.
- g) No order as to costs.

(K.K.TATED, J.)