

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 109 OF 2017
IN
CROSS OBJECTION (ST) NO.2374 OF 2016

Godavari Harishchandra Bhoir and Ors.	.. Applicants
Versus	
Mahadeo Nama Bhoir (since decd.) through LR's	.. Respondents

Mr. S.S. Punde for applicants.
Mr. A.R. Patil, AGP for State.

CORAM : K.K. TATED, J.

DATE : 11 MARCH 2019.

P.C:-

. Heard learned Counsel for the applicants.

2. By this civil application, applicants are seeking permission to bring the legal heirs on record of deceased respondent No.1-Harishchandra Mahadeo Bhoir who died on 11.01.2017. Considering the submissions made by learned Counsel for the applicants and as the civil application is filed within time, I am satisfied that the applicants have made out case for allowing this civil application. Hence, following order :-

a) Civil Application is allowed in terms of prayer clause

(a) and (b), which reads thus :

“A] This Honourable High Court be pleased to set aside the abatement of the Cross Objection Stamp No.2374 of 2016 in First Appeal No.905 of 2015 against Respondent No.1;

B] This Honourable High Court be pleased to the permit Applicants to amend the title of the Cross Objection Stamp No.2374 of 2016 by bringing the names of Applicants on the record of Cross Objection Stamp No.2374 of 2016 in First Appeal No.396 of 2010.”

b) Applicants to carry out amendment in Cross Objection (St.) No.2374 of 2016 within three weeks from today, failing which civil application shall stand dismissed without reference to the Court.

c) If amendment is carried out within stipulated time, applicants are directed to serve the amendment copy of Cross Objection (St) No.2374 of 2016 on other side on or before next date.

d) Civil Application stands disposed of accordingly.

e) No order as to costs.

(K.K. TATED, J.)