

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

**CIVIL APPLICATION NO.838 OF 2019
IN
SECOND APPEAL NO.159 OF 2019**

Motilal Maikulal Gupta .. Applicant/Appellant
Vs.
Sayyed Ayyub Mohyauddin Solapurkar
(since deceased) through his legal heirs
1/1. Fatima Sayyed Ayyub Solapurkar & Ors. .. Respondents

Mr.Rohit Joshi i/by Ms.Gauri Godse for the applicant/appellant.
Mr.Somnath Thengil h/f Mr.Sachin Dhakephalkar for the respondent
nos.1/2, 1/4 and 1/5.

**CORAM : R.D.DHANUKA, J.
DATE : 9th September 2019**

P.C.:

. By this civil application, the applicant seeks condonation of delay in filing civil application, for setting aside abatement and for bringing the legal heirs of deceased respondent no.1/1 in the second appeal.

3. Mr.Joshi, learned counsel for the applicant states that legal heirs of the respondent no.1/1 are already on record as the respondent nos.1/2 to 1/5. Statement is accepted.

3. In view of the statement made by the learned counsel which is not disputed by the learned counsel for the respondent nos.1/2 to 1/5, civil application is disposed of on aforesaid terms. No order as to costs.

4. Place the second appeal on board for 'Admission' on 14th October 2019. Ad-interim relief granted by this Court to continue till the next date.

R.D.DHANUKA, J.