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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CIVIL APPELLATE JURISDICTION****CIVIL APPLICATION NO. 2825 OF 2018****IN****FIRST APPEAL NO. 1793 OF 2009**

Mr. Vispi Bahadur Balsara and another .....Applicants

V/s.

The Vatcha Gandhi Agary Trust and others .....Respondents

Mr. Ravindra S. K. i/b M. M. Merchant for the applicants

Mr. Vikas K. Singh i/b Lambay & Co. for respondent

**CORAM : K. K. TATED, J.**

**DATE : APRIL 11, 2019.**

**P.C.**

Heard the learned counsel for the parties.

2 By this Civil Application, applicant is seeking permission to bring legal heirs on record of deceased appellant no. 2 Kashmira Dinyar Vimadalal who died on 09/02/2018. Civil Application is filed within time.

3     Considering the submissions made by the learned counsel for the applicant and the averments made in Civil Application, I am satisfied that applicant has made out case for allowing Civil Application. Hence, following order:

(I)   Applicant is permitted to bring legal heirs on record of deceased appellant no. 2 on or before 04/05/2019, failing which Civil Application shall stand dismissed without referring back to the Court.

(II)   If amendment is carried out within stipulated time, applicant is directed to provide amended copy of Appeal Memo to the advocate for the respondent.

(III)   Civil Application stands disposed of accordingly.

**[K. K. TATED, J.]**