

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

**CIVIL APPLICATION NO.2187 OF 2019
IN
FIRST APPEAL NO.1113 OF 2013**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.Satyajeet Shirke i/b Mr.Jayant Bardeshkar
for the applicant

M.D.S.Joshi for the appellants

**CORAM : K. K. TATED, J
DATE : JULY 10, 2019**

P.C.:

. Heard.

2 Advocate for the Applicant submits that, applicants are legal heirs of original Respondent no.5 who died on 8.7.2014.

3 The learned counsel for the applicant submits that as soon as they learnt that the present First Appeal is pending for hearing and final disposal, they filed the present

Application for joining them as party Respondent. He submits that for want of knowledge about the pendency of the First Appeal, it remained on the part of applicants to file application immediately and therefore, there is a delay in filing Application. He submits that in the interest of justice this Hon'ble Court be pleased to condone the delay in filing the Civil Application and direct the appellants to join them as party Respondent in First Appeal.

4 The learned counsel for the Appellants Insurance Company submits that, they have no objection if delay is condoned and Application is allowed. Hence, by consent, following order is passed:

- a. Delay in filing Civil Application is condoned.
- b. Abatement, if any, is set aside.
- c. Appellant Insurance Company is directed to bring legal heirs of deceased Respondent no.5 on record, in First Appeal No.1113 of 2013 and pending Civil Applications, if any, on or before 16.08.2019.
- d. The learned counsel for the Appellants is directed to provide amended copy of First Appeal to the Respondent's or their Advocate

immediately thereafter.

e. Civil application stands disposed off accordingly.

f. No order as to costs.

(K.K.TATED, J.)