

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1130 OF 2016****IN****SECOND APPEAL NO. 498 OF 2016****Nivrutti Punja Lonare,****Since deceased through LRs.****Rakhmabai Nivrutti Lonare & Ors.****..... Applicants****VERSUS****Ashok Mahadu Lonare & Ors.****..... Respondents**

Mr.Girish R. Agrawal for the Applicants.

Mr.Swapnil Mhatre for the Respondent nos. 1, 2, 3, 4-A.

CORAM : R.D. DHANUKA, J.**DATE : 7th OCTOBER, 2019****P.C.**

By this civil application, the applicants seek condonation of delay of 7 years and 181 days in bringing the legal heirs of the respondent no.7A on record and prays for setting aside the abatement against the said respondent. The applicants also seek to bring the legal heirs of the said respondent on record. The applicants have explained the delay in paragraphs 3 to 10 of the civil application. I do not find any merit in any of the objections in the affidavit in reply filed by the respondent nos.1 to 3 and 4A dated 25th April,2017 opposing the said application. For the reasons recorded in the civil application, civil application is made absolute in terms of prayer clauses (b) to (e). Amendment to be carried out within two weeks from today. Amended copy of the second appeal shall be served upon the respondents' advocates within one week from the date of carrying out amendment. No order as to costs.

[R.D.DHANUKA, J.]