

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.290 OF 2019
IN
FIRST APPEAL NO. 1812 OF 2009

Smt. Hasina Yusuf Bhaiji

.... Applicant.

Versus

Special Land Acquisition Officer

... Respondents.

Mr. Sidhartha R. Gonghe for the Applicant
Government Pleader for Respondent No.1

CORAM : K. K. TATED, J.

DATE : 11th JULY, 2019

P.C.

Heard learned Advocate for the applicant.

2. Advocate for the applicant submit that respondents are duly served. He undertake to file service affidavit within four weeks from today. Inspite of service none appeared on behalf of the respondent.

3. By this Civil Application, applicant is seeking permission to bring legal heirs on record of deceased Appellant No.4 Fahad Mohd. Yusuf Bhaiji who died on 1st April, 2018.

4. Considering the submission made by the learned counsel

for the applicant and avernments made in the Civil Application, I satisfied that the applicant has made out a case for allowing the Civil Application. Hence the following order -

- 1) Civil Application is allowed in terms of prayer clause (b) & (c) which reads thus -

“(b) The delay of 7 days in filing the present Civil Application may be condoned.

“(c) The applicants may be permitted to bring on record the heirs and legal representatives of the deceased Shri. Fahad Mohd. Yusuf Bhaji on record as indicated in the cause title of the present Civil Application”.

- 2) The applicant to carry out appropriate amendment in First Appeal No.1812/2009 and pending Civil Application if any on or before 16th August, 2019, failing which Civil Application shall stand dismissed without calling back to the Court.

- 3) If amendment is carried out within stipulated time, applicant is directed to serve amended copy of the First Appeal to the other side immediately.

- 4) Case stands disposed of accordingly.

[K. K. TATED, J.]