

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

Civil Application No.4413/2018

in

First Appeal No.1570/2007

|                                                                                                           |                                                                                               |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders.                                                                    |
|                                                                                                           | Mr. Chandrakant P. Deogirikar for the Applicant<br>Mr. Vijay D. Upadhyay for Respondent No.2. |

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

**DATED : OCTOBER 18, 2019**

**P.C.**

1 Heard. By this Civil Application , the Applicant is seeking permission to bring the legal heirs of deceased sole proprietor of Respondent No.1, on record, Mr.Surendrnath P. Kamble, who died on 26.02.2012.

2 The learned counsel for the Applicant submits that he has already served the legal heirs of the deceased and filed Affidavit of Service. The statement is accepted.

3 Considering the submissions made by the learned counsel for the Applicant

and the averments made in the Civil Application, I am satisfied that the Applicant has made out a case for allowing the Civil Application.

4 Hence, following order is passed:

- a. Delay condoned.
- b. The Applicant to bring the legal heirs of deceased proprietor of Respondent No.1 on record in the First Appeal and the Civil Application, if any, on or before 16.11.2019, failing which the Civil Application shall stand dismissed without further reference to the court.
- c. If the amendment is carried out within stipulated time as stated hereinabove, the Applicant to serve an amended copy of the Civil Application and the First Appeal on other side immediately thereafter.
- d. The Civil Application stands disposed of accordingly.
- e. No order as to costs.

**(K.K.TATED, J.)**