

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

**CIVIL APPLICATION NO.3168 OF 2015
IN
FIRST APPEAL (ST.) NO.1451 OF 2015**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr.Abhishek Patil for the Applicant

**CORAM : K. K. TATED, J
DATE : AUGUST 22, 2019**

P.C.:

. Heard.

2 By this Civil Application, Applicant original plaintiff is seeking condonation to bring legal heirs on record of deceased sole appellant who died on 19.2.2015.

3 The learned counsel for the Applicant submits that in the present proceeding, original appellant filed First Appeal in this court on 19.11.2015. Before passing any order original appellant expired. Hence, he preferred

present Civil Application before this court.

4 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.

5 Hence, following order is passed:

- a. Delay in filing Civil Application is condoned.
- b. Abatement is set aside.
- c. Applicant is permitted to bring legal heirs on record of deceased sole appellant in First Appeal as well as pending Civil Application on or before 13.9.2019 failing which the Civil Application shall stand dismissed without further reference to the court.
- d. The Civil Application stands disposed of accordingly. No order as to costs.

(K.K.TATED, J.)