

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

**CIVIL APPLICATION NO.735 OF 2019
IN
WRIT PETITION NO.3979 OF 2001**

Sanjay Nivrutti Pawar : Applicant.

In the matter between

**Krishna Hari Pawar (Dham)
since deceased through LRs.
Bajirao Krishna Pawar (Dham)
since deceased through LRs
Pandurang Bajirao Pawar and ors. : Petitioners.**

Versus

**Smt. Sonabai Baburao Gaikwad
since deceased through LRs
Shivdas Baburao Gaikwad
since deceased through LRs and ors. : Respondents.**

Mr. K P Shah i/by Mr. P B Shah for the Applicant.

**Mr. Prabhakar Jadhav i/by Mr. R Yamgar for the Respondent Nos. 1A(b)
to 1A(e), 1B(iii) to 1B(v), 2A, 2D, 2F to 2G.**

**CORAM : S. S. SHINDE, J
DATE : 22nd March 2019**

P.C.

1 The above Civil Application has been filed for bringing the heirs of the Petitioner No.2(b) – Nivrutti Vishnu Pawar (Dham) on record, for setting aside the abatement against the Petitioner No.2(b) and for condonation of delay of 1 years and 17 days in filing the Civil Application.

2 The learned counsel appearing on behalf of the Respondents submits to the orders of the Court.

3 The above Civil Application is accordingly allowed. Resultantly the delay in filing the Civil Application is condoned, the abatement against the Petitioner No.2(b) is set aside and the heirs of the Petitioner No.2(b) are allowed to be brought on record. Amendment to be carried out within two weeks from date. After the amendment is carried out list the above Writ Petition on 05/04/2019.

4 The above Civil Application is accordingly disposed of.

[S. S. SHINDE , J]