

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.364 OF 2017
IN
CIVIL REVISION APPLICATION NO.397 OF 2016

Shri. Himmatlal Sakalaji Kumhar & Ors. .. Applicants

In the matter between :

Shri. Himmatlal Sakalaji & Anr. .. Applicants

Versus

Smt. Kanchanben Anandji Rajgor & Anr. .. Respondents

Mrs. Neeta Parikh for applicants.

None for the respondents.

CORAM : K.K. TATED, J.

DATE : 10 JANUARY 2019.

P.C:-

. Heard learned Counsel for the applicant.

2. Learned Counsel for the applicant submits that by this Civil Application they are seeking permission to bring legal heirs on record of deceased applicant No.2-Bhagaram Velagi Kumhar who died on 17.06.2017. He submits that Civil Application is filed within time, there is no delay on their part.

3. Considering the submissions made by learned Counsel for the applicant, averments made in Civil Application and as the Civil Application filed within time, I am satisfied that the applicant has made out case for allowing this Civil Application.

4. Hence, following order :

a) Civil Application is allowed in terms of prayer clause (b) which reads thus :

“b) That this Hon'ble Court be pleased to allow the Applicants to carry out amendment and add the applicant Nos.2 to 5 as party Applicant No.2(a) to (d) to the Civil Revision Application No.397 of 2016 and Civil Application No.417 of 2016 as per schedule annexed hereto being Exhibit-”B”.

b) Amendment to be carried out on or before 16.02.2019, failing which civil application shall stand dismissed without reference to the Court.

c) If amendment is carried out within time, applicant is directed to serve the amended copy of Civil Revision Application No.397 of 2016 on other side on or before 20.04.2019 and file affidavit of service to that effect.

d) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)