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

**CIVIL APPLICATION NO. 893 OF 2017
IN
APPEAL FROM ORDER NO. 407 OF 2017**

Smt. Anandi Shamrao KumbharApplicant

V/s.

Smt. Parvati Shankar Mhalungekar and othersRespondents

Mr. A. M. Adagule for the applicant

Mr. Kedar Lad for respondent nos. 1 to 3

CORAM : K. K. TATED, J.

DATE : MARCH 15, 2019.

P.C.

Heard learned counsel for the parties.

2 By this Civil Application, applicant is seeking permission to bring legal heris on record of deceased appellant no. 2 Shamrao Vithu Kumbhar who died on 26/07/2017.

3 Civil Application filed within time.

4 Considering the submissions made by the learned counsel for the applicant, averments made in the Civil Application and as application is filed within time, I am satisfied that applicant has made out case for allowing the Civil Application. Hence, following order:

(I) Applicant is permitted to bring legal heirs on record of deceased appellant no. 2 in Appeal from Order no. 407 of 2017 on or before 12/04/2019, failing which Civil Application shall stand dismissed without referring back to the Court.

(II) If amendment is carried out within stipulated time, applicant is directed to serve copy of Appeal from Order on respondent's Advocate immediately thereafter.

(III) Civil Application stands disposed of accordingly.

(IV) No order as to costs.

[K. K. TATED, J.]