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

**CIVIL APPLICATION NO.1108 OF 2018
IN
CIVIL WRIT PETITION (ST) NO.25836 OF 2014**

Dr. Annasheb Chougule Urban Co.Op. BankLtd.

..Applicant

Vs

FYCO Engg. Works & Ors.

..Respondents

Mr. Rahul Patil I/b Umesh Mankapure for Applicant.

Ms. Neha Pawar I/b Kishor Patil for respondent No.1

Mr. Pratik Rahade for respondent No.3.

CORAM : A.S.GADKARI, J.

DATE : 8th August 2019.

P.C.:

1] This is an application for brining the legal heirs of respondent No.2 on record. There is delay of one and 186 days in filing the present application.

2] Learned counsel for the respondent No.1 vehemently opposed the application and submitted that, there is no satisfactory explanation given for condonation of delay. It appears that, there is substance in the contention of the learned counsel for the respondent No.1.

However, in the interest of justice, I am inclined to condone the

said delay subject to payment of cost of Rs.7500/- to be deposited in the High Court Legal Services Authority in their account namely “High Court Legal Aid Fund”. The said amount be deposited within a period of two weeks from today.

3] Subject to payment of the said cost of Rs.7500/-, Application is allowed in terms of prayer clause (a) and (b). It is made clear that, payment of cost with the High Court Legal Services Authority is condition precedent for condonation of delay.

Amendment be carried out within a period of two weeks from today and an amended copy of the petition be served upon the Advocate for the respondents within same stipulated period.

4] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)