

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1835 OF 2015****IN****SECOND APPEAL NO. 431 OF 2014**

**Chindhu Kondiba Rokade,
Since deceased through legal heirs
Dhondabi Chintaman Rokade & Ors.**

..... Applicants**VERSUS**

Gotiram Kabhari Thigale & Ors.

..... Respondents

Mr. P.G.Sawant, a/w. Mr.N.S.Shirke for the Applicants.

Mr.U.B.Nighot for the Respondent nos.1A to 1C and 2.

CORAM : R.D. DHANUKA, J.

DATE : 16th AUGUST, 2019

P.C.

Learned counsel appearing for the proposed respondent no. 1A to 1C states that there is one more legal heir of the original respondent no.1 and furnishes the name of the said legal heir. Leave to amend is granted to implead the name of the 4th legal heir as respondent no.1D. Amendment to be carried out forthwith. Re-verification is dispensed with.

2. Heard learned counsel appearing for the parties present in court and have perused the averments made in this civil application. For the reasons recorded in the civil application, the applicants have made out a case for condonation of delay and for impleadment of the legal heirs of the respondent no.1. Civil application is made absolute in terms of prayer clauses (a) and (b). Amendment to be carried out within one

week from today. Amended copy of the second appeal shall be served upon the learned advocate representing the learned counsel appearing for the respondent no.2 and newly added party within one week from the date of carrying out amendment. No order as to costs.

3. Place the second appeal on board for admission on **9th September,2019.**

[R.D.DHANUKA, J.]