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

**CIVIL APPLICATION NO. 1003 OF 2018
IN
APPEAL FROM ORDER NO. 673 OF 2017**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Vikram Singh I/b Janardan P. Singh for the Applicant.
Ms. Madhuri More for the Respondent-BMC.
Mr. Rajesh Singh for Respondent No.1.

CORAM : K. K. TATED, J.
DATE : 28th MARCH, 2019.

P. C. :

1. Heard learned Counsel for the parties.
2. By this Civil Application, the Applicant is seeking permission to bring legal heirs on record of deceased Respondent No.1 who died on 05.08.2018. This application is filed within time.
3. Learned Counsel Shri Rajesh Singh submits that he received instructions to appear on behalf of legal heirs of Respondent No.1. He submits that he does not have any objection, if the Civil Application is allowed.
4. Considering the submission made by learned Counsel for the Applicant, averments made in the Civil Application and as the learned Counsel for legal heirs of Respondent No.1 have no objection, the

Applicant has made out case of following order:

- (i) The Applicant is permitted to bring legal heirs of Respondent No.1 in Appeal from Order No. 673 of 2017 and pending Civil Application on or before 26.04.2019, failing which the Civil Application shall stand dismissed without reference to this Court.
- (ii) If amendment is carried out within stipulated time as stated hereinabove, the Applicant to serve the amended copy of Appeal Memo on other side immediately.
- (iii) Learned Counsel Shri Rajesh Singh waives service on behalf of legal heirs of Respondent No.1 in Appeal from Order No. 673 of 2017.
- (iv) Civil Application stands disposed of accordingly.

[K. K. TATED, J.]