

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

CIVIL APPLICATION NO. 2566 OF 2019

IN

FIRST APPEAL ST. NO. 5904 OF 2017

Saifuddin E. Shahadawala
(Since Deceased) Through LR's
Smt. Rashida Wd/o Saifuddin Sahadawala

...Applicant

Versus

farida Saifddin Shahdawala & Ors.

...Respondents

...

Mr. Reyden L. Gonsalves i/b Mr. Eventa Andrea Gonsalves, Advocate for the Applicant.

...

CORAM : K.K.TATED, J.
DATED : AUGUST 29th, 2019

P.C.

1. Heard learned counsel for the Applicant.
2. Learned counsel for the Applicant submits that, the Appellant-Saifuddin expired on 12th September 2017. He submits that, they filed the present Civil Application in 25th October 2017 within the time.
3. Considering the submissions made by the learned Counsel for the Applicant, and averments made in Civil Application, and as the Application filed within time, I am satisfied that Applicant has made out a case for allowing the Civil Application.

4. Hence, the following order is passed:

A. Applicant is permitted to bring on record legal heirs of deceased/Appellant in First Appeal St. No. 5904 of 2017 and pending Civil Applications, if any, on or before 21st September 2019, failing which the Civil Application shall stand dismissed without further reference to the Court.

B. No order as to costs.

(K.K.TATED, J.)