

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

**CIVIL APPLICATION NO. 91 OF 2019
IN
WRIT PETITION NO. 9160 OF 2016**

Sayyad Sabir Hasan Abdul Nabi

....Applicant

V/s.

Abdul Karim Abdul Gafoor Shaikh (since
deceased through legal heirs) :

Abdul Kadir Abdul Karim Shaikh & Ors.

....Respondents

Mr. Kishor S. Patil for the applicant.

Ms. Hemangi Pathare I/b. Milind Parab and Associates
for respondent no.1.

Mr. S.H. Kankal, AGP for respondent nos.2 to 6.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 15th JANUARY, 2019.**

P.C.:

. By this application, the applicant has sought to condone the delay in filing the application, for setting aside the abatement and for bringing on record legal heirs of deceased respondent no.1. Ms. Hemangi Pathare, learned counsel for respondent no.1 submits that she has no objection for condoning the delay and for setting aside the abatement.

2. In the light of said statement and in view of the ground mentioned in paragraphs 3, 4, 5 and 6 of the application, delay is

condoned. Abatement is set aside. Legal representatives of the deceased respondent no.1 are ordered to be brought on record as respondent nos.1a to 1c. Cause title be amended accordingly.

3. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)