

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

**CIVIL APPLICATION NO.291 OF 2019
IN
FIRST APPEAL NO. 1812 OF 2009**

Smt. Hasina Yusuf Bhaiji

.... Applicant.

Versus

Special Land Acquisition Officer

... Respondents.

Mr. Sidhartha R. Gonghe for the Applicant
Government Pleader for Respondent No.1

CORAM : K. K. TATED, J.

DATE : 11th JULY, 2019

P.C.

Heard learned Advocate for the applicant.

2. Advocate for the applicant submit that respondents have duly served by prive notice.
3. Inspite of service, none appeared on behalf of respondents.
4. By this Civil Application, applicant is seeking permission to bring legal heirs of deceased Appellant No.1 Smt. Hasina Yusuf Mohd. Bhaiji who died on 20th September, 2018. He submits that there is no delay in filing of Civil Application.

5. Considering the submission made by the learned counsel for the applicant and averments made in the Civil Application, and as there is no delay for filing the application, I satisfied that the applicant has made out a case for allowing the Civil Application. Hence the following order -

(a) Civil Application is allowed in terms of prayer clause (b) which reads thus -

(b) “The applicants may be permitted to bring on record the heirs and legal representatives of the deceased Smt. Hasina Yusuf Mohd. Bhaiji on record as indicated in the cause title of the present Civil Application and further consequential amendments may be permitted to be carried out”.

(b) The applicant to carry out appropriate amendment in First Appeal No.1812/2009 and pending Civil Application if any on or before 16th August, 2019, failing which Civil Application shall stand dismissed without calling back to the Court.

(c) If amendment is carried out within stipulated time, applicant is directed to serve amended copy of the First Appeal to the other side immediately.

(d) Case stands disposed of accordingly.

(e) No order as to costs.

[K. K. TATED, J.]