

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1939 OF 2017****IN****FIRST APPEAL NO. 811 OF 2009****Shobhnath Atmaram Jaiswar****..... Applicant****IN THE MATTER BETWEEN****Atmaram Ramshiromani Jaiswar & Ors.****..... Appellants****VERSUS****Reshma Pakhandi Jaiswar****..... Respondent**

Mr.S.P.Srivastava for the Applicant/Appellants.

None for the Respondent.

CORAM : R.D. DHANUKA, J.**DATE : 5th NOVEMBER, 2019****P.C.**

Learned counsel appearing for the applicant states that the respondent is served.

2. By this civil application, the applicant has prayed for condonation of delay in filing civil application and seeks amendment to the first appeal i.e. for bringing the legal heirs of the appellant no.1 on record who expired on 5th August,2016. None appeared for the respondent when the matter was called out.

3. Delay in filing civil application is sufficiently explained in the civil application. Civil application is accordingly made absolute in terms of prayer clauses (a) and (b).

4. Amendment to be carried out within two weeks from today. Amended copy of the first appeal shall be served upon the respondent within one week from the date of carrying out amendment. No order as to costs.

[R.D.DHANUKA, J.]