

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

**CIVIL APPLICATION NO.1513/2019**  
**IN**  
**FIRST APPEAL NO.974/2017**

| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders.                                                             |
|-----------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
|                                                                                                           | Mr.A.R.Patil, AGP for applicant.<br>Mr.S.S. Punde, Advocate for respondent nos.3 to 6. |

**CORAM : K.K.TATED, J.**  
**DATED : JUNE 4, 2019**

**P.C.**

Heard learned counsels for parties.

2. Mr.A.R. Patil, learned AGP for the applicants, submits that by this Civil Application, the applicants are seeking permission to bring on record, the legal heirs of deceased/respondent no.2 Hasuram Jabru Patil who died on 23.09.2016.

3. Mr.A.R. Patil, learned AGP for the applicants submit that, for want of knowledge, it remained on their part to prefer an application for bringing the legal heirs of deceased/respondent no.2 within time. He submits that, be pleased to condone the delay in filing Civil Application and allow the applicants to bring legal heirs of deceased/Respondent no.2, on record.

Chitra Sonawane.

4. Learned counsel for respondent submits that he received intimation regarding death of respondent no.2 also. He submits that he has no objection if present Civil Application is allowed.

5. Considering the submissions made by learned AGP, averments made in the civil application, and as the advocate for Respondents has no objection, I am satisfied that applicants have made out a case for allowing the civil application. Hence, the following order.

a) Civil application is allowed in terms of prayer clauses (b), (c), (d) and (e ) which reads thus;

*"b) This Hon'ble Court be pleased to condone the delay of 2 years, 2 months and 25 days in preferring abovementioned Civil Application for bringing legal heirs on record of deceased Respondent no.2.*

*c) That this Hon'ble Court be pleased to set aside the abatement of the abovementioned matter;*

*d) That this Hon'ble Court be pleased to restore the abovementioned First Appeal*

*(No.974 of 2017) on file.*

*e) That this Hon'ble Court be pleased to allow the applicant to bring legal heirs on record of deceased Respondent no.2, as stated hereinabove."*

b) Applicants to carry out amendment on or before 06.07.2019 failing which, the Civil Application shall stand dismissed without referring back to the Court.

c) If amendment is carried out within stipulated time, the applicants to serve amended copy of First Appeal No.974/17 on Respondent's Advocate.

d) Civil Application stands disposed of.

**(K.K.TATED, J.)**