

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

**CIVIL APPLICATION NO. 1056 OF 2019**

**IN**

**SECOND APPEAL NO. 413 OF 2001**

Vithal Vishnu Apte, deceased by his

Legal Heirs & ors.

..Appellants.

v/s.

Mahmad Alli Hasan Darwajkar,

deceased & ors.

..Respondents.

Mr. N.V. Bandiwadekar, advocate for applicants.

Mr. Abhishek Matkar i/b. Mr. S.A. Sawant, advocate for respondent No. 1.

**CORAM : SMT. SADHANA S. JADHAV,J.**

**DATE : FEBRUARY 18, 2020.**

**P. C. :**

1 This is an application for bringing legal heirs of the respondent No. 1 on record. It is reported that the respondent No. 1 had expired on 29/8/2004. There is no doubt that there is delay in filing the present application on account of the fact that the applicant had no knowledge about the number of legal heirs or the identity of the legal heirs of the respondent No. 1. In the interest of justice, delay deserves to be condoned and the application deserves to be allowed. The application is allowed in terms of prayer clause (a), (b) and (c) and disposed of accordingly.

**[SMT. SADHANA S. JADHAV, J.]**