

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

**CIVIL APPLICATION NO.194 OF 2018
IN
SECOND APPEAL NO.235 OF 1995**

Dagadu Sakharam Waje
(Since Decd.) through LRs and Ors. ..Applicants
Vs.
Keru Nana Waje
(Since Decd.) through LRs and Ors. ..Respondents

.....

Ms. Nazia S. A. Shaikh i/b. P. J. Thorat, Advocate for Applicants
Mr. Sarfaraj J. Shaikh h/f Adv. Sachin Gite, Advocate for Respondent
Nos.1A and 1B.

**CORAM : C.V. BHADANG, J.
DATE : 11th MARCH, 2020**

PC.

. This is an application for condonation of delay, setting aside abatement and for bringing on record the legal representatives of deceased respondent No.1 who expired on 5/8/2016.

2. Learned counsel for the applicants points out that the delay is on account of the fact that the factum of death was not intimated earlier.

3. Having heard the learned counsel for the parties and for the reasons mentioned in the application, the same is allowed in terms of prayer clause (a) to (c). The necessary amendment to be carried out within two weeks.

4. The learned counsel for the appellant to serve a copy of the amended appeal memo on the learned counsel for the respondents.
5. The Civil Application is disposed of.
6. The Second Appeal No.235/1995 to stand over for admission on 26/3/2020.

C.V. BHADANG, J.