

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****I.A. NO. 3243 OF 2020****IN****SECOND APPEAL NO. 788 OF 2017**

Husen Papa Pathan & Ors.

.....Applicants.

Vs.

Smt. Jannatbi @ Malanbi Nizam Shaikh
(Since deceased, through LRs.) & Ors.

.....Respondents.

Mr. A.B. Tajane for the Applicants.

Mr. Rupesh Zade for the Respondent Nos.3 and 4.

CORAM : A. S. GADKARI, J.**DATE : 21st DECEMBER, 2021.****P.C.:-**

This is an Application for bringing legal heirs of Appellant No.2 on record.

2 It is stated that, Appellant No.2, Chand Papa Pathan passed away on 21st October, 2017 leaving behind the Appellant Nos.2a to 2c as his legal heirs and representatives.

There is a delay of 2 years and 53 days in filing the present Application.

3 Mr. Zade, learned Advocate for the Respondent Nos.3 and 4 has no serious objection in condoning the delay and allowing the present Application.

Perusal of Application would indicate that, sufficient cause for condonation of delay is made out.

4 In view of the above and for the reasons stated in the Application, delay is condoned, abatement if any, is set aside and Application is allowed in terms of prayer clauses (a), (b) and (c).

Necessary amendment be carried out within a period of four weeks from today.

(A.S. GADKARI, J.)