

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.59 OF 2021
IN
WRIT PETITION NO.8640 OF 2013

Shri. Rameshchandra Mohanlal Kothari ... Applicant.

In the matter between :-

Shri. Rameshchandra Mohanlal Kothari and Anr. ... Appellants.

V/s.

Dhondiba Ganpat Gawade

Since deceased, through L.rs.

1A. Vasant Dhondiba Gawade and Ors. ... Respondents.

Mr.B.G. Ligade i/b. Mr.Drupad S. Patil, Advocate for Applicant.

Mr. Shriram Kulkarni a/w Ms.Pranjali Khatavkar, Advocates for Respondents.

CORAM : A.S. GADKARI, J.

DATE : 23rd September, 2021.

(Through Video Conferencing)

PC. :

1. This is an Application for bringing the legal heirs of Petitioner No.2 on record. It is stated that, the Petitioner No.2 i.e. Shri Kantilal Premchand Modi passed away on 29th July, 2017. There is a delay of 160 days in filing the present Application.

2. Mr. Kulkarni, learned counsel appearing for the Respondents has no serious objection in condoning delay and for allowing present Application.

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

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

4. Necessary amendment in the record of Court and in the copy of Petition served upon the learned Advocates for Respondents be carried out within a period of three weeks from today.

5. Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]

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