

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

**CIVIL APPLICATION NO.2304 OF 2019
IN
WRIT PETITION NO.1405 OF 2017**

Ashokbhai Fakirbhai Patel @
Yashwant Fakirbhai Patel ... Petitioner/Applicant
V/s.
Dhansukhbhai Fakirbhai Patel and ors. ... Respondents

Mr.Anuj Tiwari i/by Ms.Varsha Palav, Advocates for the
Petitioner/Applicant.

**CORAM : UJJAL BHUYAN &
MADHAV J. JAMDAR, JJ.
DATE : AUGUST 23, 2021.**

P.C.:-

Learned counsel for the applicant submits that though as per office note dated 20th August, 2021, affidavit of service has not been filed, as a matter of fact applicant has filed affidavit of service after duly serving the respondents.

2. We accept the statement made by learned counsel for the applicant.

3. This civil application has been filed firstly to condone the delay of 11 days in filing the application and with the substantive prayer to allow the legal heirs and representatives of deceased respondent No.2 to be brought on record.

4. After hearing learned counsel for the applicant and on due consideration, we allow the prayer made in the civil application.

5. Office to make necessary corrections in the cause-title by substituting the name of respondent No.2 by his legal heirs as respondent Nos.2(a) to 2(i) as mentioned in the schedule appended to the civil application.

6. Civil application is disposed of.

(MADHAV J. JAMDAR, J.)

(UJJAL BHUYAN, J.)

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