

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1917 OF 2019
IN
FIRST APPEAL NO.36 OF 2021**

Krishnabai Sevakram Aadwani and others.] Applicants

IN THE MATTER BETWEEN:

Krishnabai Sevakram Aadwani and others.] Appellants

Vs.

Lila Sevakram Aadwani @ Jalwani	]	
(Deceased) through Legal Heirs;	]	
Sumit (Haresh Chandwani) Sevakram	]	
Aadwani and another.	]	Respondents

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Mr. Yogesh Morbale i/b Mr. Vinod P. Sangvikar, for Applicant.

None for Respondents.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATE : 18th FEBRUARY, 2021.

P.C.

1. This is an application for bringing legal representatives of the respondent Lila Sevakram Aadwani @ Jalwani who is stated to have died on 23rd December, 2017 leaving behind her legal heirs namely respondents No.1(a) and 1(b) i.e Sumit (Haresh Chandwani) son of Sevakram Aadwani and 1(b) Sangita Jalwani.

2. Photostat copy of the death certificate of deceased Lila Sevakram Aadwani issued by Village Development Officer Grampanchayat, Gandhinagar, Taluka Karveer, District Kolhapur is filed on record which indicates date of death of Lila Sevakram Aadwani as 23rd December, 2017.
3. Learned Counsel Mr. Morbale contends that there is delay of 133 days in filing this application which needs to be condoned.
4. Reason for the delay is stated that they were unaware about death of respondent No.1.
5. Having considered the reasons, abatement is set aside.
6. Legal representatives of the deceased respondent No.1 are permitted to be impleaded as party respondents.
7. Necessary amendment shall be carried out within a week.
8. After carrying out amendment, amended copy of the memo of appeal be furnished to the respondents.
9. Re-verification is dispensed with.
10. Application stands disposed of.

[PRITHVIRAJ K. CHAVAN, J.]