

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2272 OF 2019

IN

CIVIL WRIT PETITION NO. 11978 OF 2018

Sou. Mohini Dyandeo Jagtap ... Applicant/Petitioner
V/s.
Tulshiram Pandurang Kute & Ors. ... Respondents

Mr.Y.G. Thorat a/w. Ms.Mallika Pujari i/b. Mr. Ashok B. Tajane for
Applicant/Petitioner.
Mr.Prasad P Kulkarni for Respondent No.1.
Mr.PV. Nelson-Rajan, AGP for State.

CORAM : A.S. GADKARI, J.
DATE : 2nd May 2022.

PC. :

1. This is an application for bringing legal heirs of Respondent No.5 on record. There is a delay of 118 days in filing the present application.

2. Record indicates that, the Applicant/Petitioner has filed Affidavit of service dated 30th March 2021 and has made a categorical statement in it that, the Respondent Nos.5A to 5G have been duly served with the notice of present application.

Despite service, none appears for Respondent Nos.5A to 5G.

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

4. In view thereof 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) and (b).

5. Necessary amendment in the record of Court and simultaneously in the copies served upon the learned counsel for the Respondents be carried out within a period of four weeks from today.

[A.S. GADKARI, J.]