

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****I.A. NO. 2550 OF 2022****IN****CIVIL REVISION APPLICATION NO.870 OF 2014**

Mrs. Anne Francis Lobo
(Decd.) Thr. LRs. Mrs. Carmin
Micheal Lobo

.....Applicant.

Vs.

Shri Narendra Bhikaji Chavan & Ors.

.....Respondents.

Mr. Rajesh More for the Applicant.
Mr. Akshay Deshmukh for the Respondent No.1.

CORAM : A. S. GADKARI, J.

DATE : 26th APRIL, 2022.

PC.:-

This is an Application for bringing legal heirs of Mrs. Anne Francis Lobo on record.

2 It is stated that, the Revision Applicant expired on 22nd May, 2019 leaving behind the Applicant as the only legal heir and representative.

There is a delay of 2 years and 235 days in filing the present Application.

3 Mr. Deshmukh, learned Advocate opposed the Application and submitted that, no plausible explanation for condonation of inordinate delay is offered by the Applicant and therefore, the present Application may not be allowed.

4 Perusal of record indicates that, sufficient cause for bringing legal heir on record is made out.

However taking into consideration the opposition of the learned Advocate for the Respondent No.1 and an inordinate delay of 2 years and 235 days in filing the present Application, the learned Advocate appearing for the Applicant submitted that, the Applicant will pay a cost of Rs.10,000/- for condonation of delay to the Kirtikar Law Library, High Court, Mumbai within a period of three weeks from today. The said statement is accepted.

5 Subject to payment of cost, delay is condoned, abatement if any, is set aside and the Application is allowed in terms of prayer clauses (a) and (b).

Necessary amendment be carried out within a period of two weeks from the date of payment of cost to the said Library.

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MASHALKAR
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by SANJIV
SHARNAPPA
MASHALKAR
Date: 2022.04.28
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(A.S. GADKARI, J.)