

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

**INTERIM APPLICATION NO.18022 OF 2022
IN
FIRST APPEAL NO.283 OF 1994**

Smt. Nirmala Arvind Merchant
(deceased) through LRs
1A Narendra A. Merchant and
and Ors.

...Applicants

Versus

Municipal Corporation of Greater
Mumbai and Ors.

...Respondents

...

Mr. Amit Shroff i/b. M/s. Harish Shroff and Co. for the Applicants.
Mr. P.B. Gujar for Respondent No.2B and 3A in FA/283/1994 and
Respondent No.2c-1 in FA/284/1994.

Mr. Santosh Parad for Respondent -MCGM.

Mr. Jog Singh with Ms Ragini Singh and Pooja Pandey i/b. Ms Ragini
Singh and Associates for Respondent nos.2A-1 to 2A-4 in
IA/18022/2022 and for Respondent Nos.1A to 1D in IA/18025/2022.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 14th SEPTEMBER, 2022.

P. C. :-

1. By this application, the Applicants have sought to set aside abatement and to bring on record the legal representatives of the deceased Respondent No.2A. It is stated that Respondent No.2A passed away on 06/03/2012, but the same was informed to them by the Advocate of legal representatives of Respondent No.2A on 23/01/2021.

2. Considering the said fact and also considering the reasons stated in the application, the delay is condoned. The abatement is set aside and the legal representatives of deceased Respondent No.2A are ordered to be brought on record. Cause title be amended within a period of two weeks.

3. The Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

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