

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1175 OF 2015

IN

WRIT PETITION NO. 3044 Of 2001

**[Bajirao Mahadba Birajdar, Lrs. Shrimant and ors. Vs Lochanabai Tukaram
Shinde and ors.]**

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or
directions and
Registrar's orders

Court's or Judge's orders

Shri S.V.Kuptekar, advocate h/f
Shri V.D.Salunke, advocate h/f
Shri K.J.Ghute Patil, advocate for the applicants
Shri Amol Gandhi, advocate for respondent nos. 1 to 6
Shri S.A.Ambad, A.G.P. for respondent no.7

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CORAM : V.M.DESHPANDE, J.

DATED : 4th March, 2015

PER COURT :-

1] This is an application for condonation of delay of 2340 days and for substitution of the names of the applicant in place of original petitioner no.1 Shrimant Bajirao Birajdar.

2] The petition is filed in the year 2001. Shrimant Bajirao Birajdar was petitioner no.1. According to

the application, he died on 29.5.2008 leaving behind him the present applicants as his legal representative.

3] In the application, it has been stated that the applicants were not having knowledge of the pendency of present Writ Petition, therefore, within time they were unable to move the application for getting their names substituted in the present Writ Petition.

4] Though this application is filed, no reply is filed on record. Thus, the statement made in the application remained uncontroverted. Further, I am satisfied about the reasons mentioned in the application for not moving the application within stipulated period.

5] In that view of the matter, the application is allowed. Delay is condoned. The applicant nos. 1-a to 1-e be substituted in place of original petitioner deceased Shrimant Bajirao Birajdar and they are permitted to prosecute the present Writ Petition. Learned counsel is directed to carry out the amendment within a period of three weeks.

6] Put up this matter after six weeks.

[V.M.DESHPANDE, J.]