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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO. 12811 OF 2012
IN SA/41/1992
WITH
CIVIL APPLICATION NO.4904 OF 2010
IN SA/41/1992
WITH
CIVIL APPLICATION NO.4905 OF 2010
IN SA/41/1992
WITH
CIVIL APPLICATION NO.4912 OF 2010
IN SA/41/1992

SHANKAR RAMA GHOGARE (DIED) AND ORS
VERSUS
GODAWARIBAI SANJAPRAO GHOGARE AND ORS.

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Advocate for Applicants : Mr.Dharashive M.L.

Advocate for Respondents : Mr.D.M.Mane h/f Mr.A. N. Nagargoje for R/1
& 2.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 18th April, 2015

Per Court:

1 The original Appellant Nos.2, 6, 4 and 1 have passed away.
These Civil Applications are filed for bringing their legal heirs on record.

2 Civil Application Nos.12811/2012, 4904/2010, 4905/2010
and 4912/2010 are filed for condonation of delay of 553, 2723, 937 and

1721 days caused in bringing the legal heirs of the deceased Appellant No.2, 6, 4 and 1, respectively, on record.

3 Learned Advocate appearing for the Applicants submits that the delay has been properly explained in the Civil Applications.

4 Learned Advocate appearing for the Respondents opposes the applications on the ground that the reasons are not satisfactory. In the alternative, he prays for imposition of heavy costs if these applications are to be allowed.

5 In the light of the above and for the reasons stated in the Civil Applications, the same are allowed. The delay caused in filing these Civil Applications is condoned, subject to the Applicants paying costs of Rs.2000/- in each of these Civil Applications. The abatement order, if any, stands set aside.

6 Learned Advocate for the Respondents submits that some costs be donated to the Advocate Association's Bar Library, High Court, Aurangabad.

7 As such, the Applicants shall deposit costs of Rs.2000/-

(Rupees Two Thousand) with the Advocate Association's Bar Library, High Court, Aurangabad and the remaining costs of Rs.6000/- (Rupees Six Thousand) in this Court, within a period of FIVE WEEKS from today.

8 After depositing costs, the legal heirs of the respective deceased Appellants be brought on record within a period of TWO WEEKS therefrom. The Respondent Nos.1 and 2 are permitted to withdraw the said costs of Rs.6000/- in equal shares.

9 In the event of non compliance of this order, the same shall stand recalled and then these Civil Applications shall stand rejected.

(RAVINDRA V. GHUGE, J.)