

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

942. CA/3890/2012 In SA/326/1996 WITH CA/3773/1996 In SA/326/1996

SUBHASH GULABRAO GANGARDE AND ORS
V/S
CHANDANMAN MULCHAND B HALGAT, DIED THR. L.R.

Mr. Ajinkya Deshmukh h/f. Mr. V.D. Hon, Advocate for applicants.

Mr. S.S. Bora, Advocate for respondent Nos. 1 to 7.

CORAM : T.V. NALAWADE, J.

DATED : 27th August, 2015.

ORDER :

1. Civil Application No. 3890/2012 is filed for condonation of delay of 182 days caused in bringing legal heirs of deceased respondent No. 1 on the record and for condonation of delay of 4224 days caused in bringing legal heirs of deceased No. 2 on the record. The proposed legal heirs are served with the notice, but nobody has turned up. The learned counsel for applicants submitted that appellants were not informed about the death of these persons and that is why, the delay is caused. In view of the submissions made and the contents of the application, the application is allowed. Delay is condoned. Permission is granted to bring the legal heirs of deceased respondent Nos. 1 and 2 on the record. Amendment is to be carried out today itself.

2. At present, there is no need of issuing notice to the legal heirs who are brought on the record. The learned counsel for the applicants to satisfy about the tenability of the appeal. Stand over to 1.9.2015. High on board.

[T.V. NALAWADE, J.]

ssc/