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

CIVIL APPLICATION NO. 5139 OF 2012
IN SA/1678/2005
WITH
CIVIL APPLICATION NO.5140/2012
IN SA/1678/2005
WITH
CIVIL APPLICATION NO.5141/2012
IN SA/1678/2005
WITH
CIVIL APPLICATION NO.5142/2012
IN SA/1678/2005

ANANDA NANA MAKASARE DIED THR LRS BHAGUBAI ANANDA
MAKASARE AND ORS
VERSUS
SONA NANA MAKASARE DIED THR LRS UTTAM NANA MAKASARE AND
ORS

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Advocate for Applicants : Mr.Bedre Vinayak Sudhakar.

Advocate for Respondents : Mr.Sanket S. Kulkarni.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 24th April, 2015

Per Court:

(a) Civil Application No.5141/2012:-

1 Leave to add/correct the names of the Respondents in all these applications and the Second Appeal. Correction be carried out on or before 30.04.2015.

2 By this application, the Applicants pray for deletion of the
Appellant Nos.5 and 5A.

3 Mr.Kulkarni has no objection.

4 This Civil Application is, therefore, allowed. The Applicants
are permitted to delete the Respondent Nos.5 and 5A at their own risk.

(b) Civil Application Nos.5139/2012, 5140/2012 and 5142/2012:-

1 These three Civil Applications filed for bringing the legal heirs
of the deceased Appellant No.2, Appellant No.1 and sole Respondent on
record, suffer from delay of 461, 510 and 201 days, respectively.

2 The reasons explaining the delay are set out in the
applications. It is stated that the delay is neither deliberate nor
intentional.

3 Mr.Kulkarni opposes the applications on the ground that the
delay is not properly explained.

4 In the light of the above and for the reasons set out in the
Civil Applications, the same are allowed. Delay is condoned subject to the

Applicants paying costs of Rs.2500/- (Rupees Two Thousand Five Hundred) together in this Court within a period of SIX WEEKS from today.

5 Upon depositing costs, the Applicants shall bring the legal heirs of the deceased Appellants and sole Respondent on record, within two weeks thereafter. The Respondents, who are represented by Mr.Kulkarni, are at liberty to withdraw the said costs in equal proportion.

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

(RAVINDRA V. GHUGE, J.)