

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

931. CA/6534/2013 In SA/209/2005

NANDABAI BALAJI GITTE AND OTHERS
V/S
BHUJANGRAO SAMBHAJI MORE LRS PRABHAKAR AND OTHERS

Mr. D.D. Sarwade h/f. Mr. S.S. Choudhary, Advocate for applicants.

Mrs. R.D. Reddy, Advocate for respondent Nos. 1A to 1D.

CORAM : T.V. NALAWADE, J.
DATED : 1st September, 2015.

ORDER :

1. The application is filed for condonation of delay caused in bringing legal heirs of deceased respondent No. 1 on record and the delay is of 435 days. Application is also filed to bring those legal heirs on record.

2. Respondent Nos. 1A to 1E and 1H are served. One learned counsel Mrs. Reddy has filed appearance for respondent Nos. 1A to 1D. But, nobody has turned up for respondent Nos. 1E and 1H. The matter is already dismissed as against respondent Nos. 1F and 1G. The learned counsel for applicants is heard.

3. In view of the contents of the application and submissions made, the application in respect of aforesaid legal

heirs of respondent No. 1 is allowed. Delay is condoned. Amendment is to be carried out immediately. Legal heirs like respondent Nos. 1A to 1E and 1H are to be brought on the record. Notice is to be issued to them in the appeal, which is made returnable on 13.10.2015.

[T.V. NALAWADE, J.]

ssc/