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

CIVIL APPLICATION NO. 13198 OF 2013
IN WP/4469/2012

BHAUSAHEB DADA MULAY AND OTHERS
VERSUS
BELAPUR SUGAR AND ALLIED INDUSTRIES LTD HAREGAON AND
ANOTHER

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Advocate for Applicants : Mr.G.D.Tanpure h/f Mr.Garud N.C..

Advocate for Respondents : Mr.Mobin Shaikh h/f Mr.V.R. Dhorde for R/1
and 2.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 12th June, 2015

Per Court:

1 The Applicant prays for condonation of 103 days' delay caused in filing this Civil Application for bringing the legal heirs of the deceased Petitioner No.6 on record in the Writ Petition.

2 It is submitted that the reasons in support of the prayers are set out in the application. The delay caused is neither intentional nor deliberate.

3 Learned Advocate for the Respondent Nos.1 and 2 has

strongly opposed the application stating that the reasons cited are not satisfactory. He submits that in the event this application is allowed, the costs may be imposed, which shall be donated to the Advocate Association's Bar Library, High Court, Aurangabad.

4 In the light of the above and for the reasons set out in the Civil Application, the same is allowed. Delay of 103 days caused in filing this Civil Application is condoned subject to the Applicants depositing costs of Rs.1000/- (Rupees One Thousand) with the Advocate Association's Bar Library, High Court, Aurangabad within a period of THREE WEEKS from today. The order of abatement is set aside. After depositing costs, the legal heirs of the deceased Petitioner No.6 i.e. 6-A to 6H be brought on record within a period of TWO WEEKS after depositing the costs.

5 In the event of non compliance of this order, the same shall stand recalled, the Civil Application shall then stand dismissed and thereafter, the order of abatement shall stand restored.

(RAVINDRA V. GHUGE, J.)