

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.11972 OF 2014
IN
SECOND APPEAL NO.319 OF 2005

RANGNATH S/O ASARAM PATIL
AND ANOTHER

APPLICANTS

VERSUS

KALABAI LAXMAN PATIL AND OTHERS

RESPONDENTS

Mr.N.S.Jaju h/f Mr.A.S.Bajaj, Advocate for the applicants.

Mr.V.B.Anjanwatikar h/f Mr.A.V.Hons, Advocate for the respondents.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 20/03/2015

PER COURT :

1. By this application, the legal heirs of the deceased appellant No.2 are sought to be brought on record. 328 days delay is caused in preferring this application. Circumstances in support of the request are set out in paragraph Nos.4 stating therein that a civil application for bringing the said LR's on record was prepared and sworn on 25/10/2013. That remained to be filed due to inadvertence on the part of the office representing the applicants.

2. Mr.Anjanwatikar, learned Advocate does not oppose the said application but prays for costs and further states graciously that the

said costs be donated to the High Court Advocates' Bar Library, Aurangabad.

3. In the light of the above, this civil application is allowed. Delay of 328 days in the peculiar circumstances stated by the applicants is condoned subject to nominal costs of Rs.1,000/-, which the applicants shall deposit with the High Court Advocates' Bar Library, Aurangabad, in view of the request of Mr.Anjanwatikar.

4. Needless to state, if this order is not complied with, the same shall stand recalled and the civil application shall stand rejected.

5. Upon depositing costs, the applicants shall bring on record the legal heirs of the deceased appellant No.2 within 3 (three) weeks therefrom.

(RAVINDRA V. GHUGE, J.)