

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.13944 OF 2013
IN
SECOND APPEAL NO.351 OF 2013

DAGUBAI SUPADU CHAUDHARI (MAHAJAN), APPLICANTS
DIED,
THROUGH DEVKABAI MAHAJAN, DIED
THROUGH LR'S AND OTHERS

VERSUS

SUPADU TANA CHOUDHARI, DIED RESPONDENTS
AND OTHERS

Mrs.Seema Pawar h/f Mr.A.G.Talhar, Advocate for the applicants.
Mrs.M.L.Sangit, Advocate for respondent Nos.2 to 4.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 23/04/2015

PER COURT :

1. The sole appellant Devkabai Murlidhar has passed away. Applicants pray for condonation of 75 days delay caused in filing of the civil application for bringing the legal representatives of the deceased appellant Devkabai on record. It is submitted that the reasons for the delay are explained in the civil application. The delay is neither intentional nor deliberate.

2. All the respondents are served by notice of this Court dated 26/09/2014. Learned Advocate for the respondents opposed the

application on the ground that the reasons cited are not satisfactory and do not support the prayers in the application.

3. In the light of the above and for the reasons set out in the application, the same is allowed. Delay of 75 days is condoned subject to costs of Rs.1,000/- (Rs.One thousand only).

4. Learned Advocate for the respondents graciously states that the said amount be donated to the Advocate Associations' Bar Library, High Court, Aurangabad. As such, costs be deposited in the Advocate Associations' Bar Library, High Court, Aurangabad within 6 (six) weeks. After depositing costs, the legal heirs of the deceased appellant Devkabai be brought on record within 2 (two) weeks.

5. In the event of non compliance of this order, the same shall stand recalled and the civil application shall stand rejected.

(RAVINDRA V. GHUGE, J.)