

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.14266 OF 2013
IN
SECOND APPEAL NO.781 OF 1999

RAMA DAGADU MIRGE, DIED,
THROUGH LR'S AND OTHERS

APPLICANTS

VERSUS

PHULSING TIKARAM MEHER AND
ANOTHER

RESPONDENTS

Mr.K.C.Sant, Advocate for the applicants.

Mr.A.D.Kasliwal, Advocate for respondent Nos.1 and 2.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 23/04/2015

PER COURT :

1. Second appeal is admitted. Appellant No.1-H Shivaji has passed away. The applicants pray for condonation of delay of 67 days and seek permission to bring the legal heirs of deceased Shivaji on record. Mr.Sant submits that the delay is neither deliberate nor intentional. Circumstances set out in the application explain away the delay.

2. Mr.Kasliwal, learned Advocate on behalf of the respondents, opposes the application and submits that the explanation is not satisfactory.

3. In the light of the above and for the reasons set out in the application, the civil application is allowed. Delay is condoned. LR's of appellant No.1-H Shivaji be brought on record on or before 08/05/2015.

(RAVINDRA V. GHUGE, J.)