

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.14905 of 2013
IN
SECOND APPEAL NO.415 OF 2013

MAROTI S/O SAGA JADHAV AND OTHERS

APPLICANTS

VERSUS

KISHAN S/O SAMBHAJI JADHAV, DIED,
THROUGH LR'S AND OTHERS

RESPONDENTS

Mr.Amit S.Deshpande, Advocate for the applicants.

(CORAM : RAVINDRA V. GHUGE, J.)

DATE : 23/04/2015

PER COURT :

1. Respondent No.1 has passed away. By this application, the applicants pray for condonation of 1384 days delay and seek permission to bring the legal heirs of deceased respondent No.1 Kishan Sambhaji on record. The delay is sought to be explained in paragraph Nos. 2 and 3. Mr.Deshpande submits that the delay is neither intentional nor deliberate and the applicants do not derive any advantage by delaying the matter.

2. The LR's of deceased respondent No.1 (1A to 1D) are served by notice issued by this Court on 09/12/2013. No appearance has been caused either through an Advocate or in person.

3. In the light of the above and for the reasons set out, the application is allowed. Delay of 1384 days is condoned subject to costs of Rs.2,000/- (Rs. Two thousand only) to be deposited with the Advocate Associations' Bar Library, High Court, Aurangabad within a period of 6 (six) weeks from today.

4. I am depriving respondent Nos. 1A to 1D of the costs since they have not caused their appearance in this matter. Upon depositing costs, LR's of deceased respondent No.1 shall 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.)