

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

932. CA/6538/2013 In SAST/20247/2005 WITH CA/12467/2005 In
SAST/20247/2005

BAPAASAHEB TATYABA DHOLE, DIED THR. L.RS.
V/S
RAOSAHEB TATYABA DHOLE THR LRS

Ms. S.V. Salunke h/f. Mr. V.D. Salunke, Advocate for applicants.
Mr. S.T. Shelke, Advocate for respondent Nos. 1A & 1B.

CORAM : T.V. NALAWADE, J.
DATED : 1st September, 2015.

ORDER :

1. The application is filed for bringing the legal heirs of deceased appellant No. 1 on record and also for condonation of delay caused in bringing legal heirs of deceased respondent No. 7 on record and for permission to bring the legal heirs of deceased respondent No. 7 on record.

2. As per the record, the application filed in respect of appellant No. 1 is filed in time. The delay of 275 day is caused in filing application for bringing the legal heirs of deceased respondent No. 7. Notices to the proposed legal heirs of respondent No. 7 are duly served, but nobody has turned up.

3. In view of the contents of the application and submissions made, the application is allowed. Legal heirs of

appellant No. 1 are to come on record in place of deceased appellant No. 1. Delay caused in bringing legal heirs of deceased respondent No. 7 on record is condoned. Permission is granted to bring the legal heirs of deceased respondent No. 7 on record. Amendment is to be carried out accordingly immediately. Notice in delay condonation application to legal heirs of deceased respondent No. 7 is to be issued which is made returnable on 6.10.2015.

[T.V. NALAWADE, J.]

ssc/