

IN THE HIGH COURT OF JUDICATURE OF BOMBAY,
BENCH AT AURANGABAD

**CIVIL APPLICATION NO. 92 OF 2011
IN
SECOND APPEAL NO. 263 OF 2007**

Mangalbi w/o Fulya Kokani
& others

... Applicants

Versus

Chitaman S/o Harya Kokani
& others

... Respondents

.....
Mr. V.P. Raje , Advocate holding for
Mr. C.R. Deshpande, Advocate for Applicants
Mr. A.S. Gandhi, Advocate for respondent No. 1
.....

CORAM : RAVINDRA V. GHUGE, J.

DATED : 18th MARCH, 2015

PER COURT :

1. The applicants, by this application seek leave to bring on record the legal representatives of the deceased appellant No. 3 in Second Appeal No. 263 of 2007. The Second Appeal has been admitted by order dated 07-08-2007.

2. Learned Advocate for the applicants points out from paragraph No. 2 as regards the reasons and circumstances in which delay of 885 days has been caused in bringing the legal representatives of the deceased appellant No. 3, on record.

3. In the light of the above and for the reasons set out in the Civil Application, the same is allowed and the delay of 825 days caused in seeking quashing of the abatement order is condoned. Delay 885 days in bringing Legal Representatives of deceased appellant No. 3 on record is condoned.

4. The Civil Application is allowed subject to costs of Rs. 5,000/- to be deposited in this Court within a period of four weeks, failing which this order shall stand recalled and the Civil Application stand rejected.

5. Upon compliance of this order, the appellants shall bring on record the legal representatives of the deceased appellant No. 3 within two weeks from the date of depositing the costs.

(RAVINDRA V. GHUGE, J.)