

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12944 OF 2014
IN WP/1152/1993

VIKRAMSINGH DATTUSING CHAVAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicants : Shri Deshmukh Y.P.
AGP for Respondents: Shri Korde D.R.
Advocate for Respondents 3 & 5 : Shri Mote U.S.

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CORAM : RAVINDRA V. GHUGE, J.
Dated: February 27, 2015
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PER COURT :-

1. The applicants seek leave to be brought on record as the legal representatives of applicants 5 and 10, who have passed away on 21.1.2005 and 31.8.2011 respectively.

2. Delay caused in filing the Civil Application is of 3519 days so far applicant No.5 is concerned and is of 1107 days, so far applicant No.10 is concerned. The applicants have explained the reasons in the Civil Application and it is submitted that the doors of the Court would be closed on the applicants, if the delay is not condoned and they are not permitted to be brought on record.

3. Learned AGP on behalf of the State and Shri Mote, learned Advocate on behalf of respondents 3 and 5 have strongly opposed the application.

4. Considering the submissions of the learned Advocates and for the reasons set out in the application, the delay of 3519 and 1107 days respectively is condoned, subject to the applicants depositing costs of Rs.10,000/- (Rs. Ten Thousand only/-) for applicant No.5 and costs of Rs.5,000/- for applicant No.10. Learned Advocates for the respondents have graciously agreed to donate the said amount to the Bar Library of the Advocates' Association of the Bombay High Court, Bench at Aurangabad. As such, the applicants shall deposit the said amount with the Bar Library of the Advocates' Association of the Bombay High Court, Bench at Aurangabad within a period of four weeks from today.

5. The Civil Application is therefore, allowed and the petitioners shall carry out the addition within the period of six weeks from today. Needless to state, if either of the directions are not complied with, this order shall stand recalled and the Civil Application shall stand rejected.

(RAVINDRA V. GHUGE, J.)

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