

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

923 CA/4580/2016 and CA/4581/2016
IN
FIRST APPEAL NO.176 OF 2006
WITH
FA/176/2006 WITH FA/177/2006 WITH FA/179/2006

PANDHARINATH RAMRAO NALAWADE
VERSUS
STATE OF MAH & ANR

...
Mr. GS Patil, Adv. For applicants/appellant;
Mr. KM Lokhande, AGP for Respondents: 1 & 2.

...
CORAM : P.R. BORA, J.
Dated: August 05, 2016

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PER COURT :-

1) Heard. Learned Counsel for the
applicant/appellant submitted that during pendency
of the present appeal, appellant – Pandharinath
expired, but the said information was not provided
to him and such information was received to him only
when the present appeal was listed for final
hearing. The learned Counsel submits that the
moment this fact was made known to the counsel who
was appearing for the original appellant, the
applications have been moved. The learned Counsel

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has, therefore, prayed for allowing both the applications, one is for condonation of delay, which has occurred in filing the application for bringing the legal heirs of deceased appellant on record and the other for taking the legal heirs of deceased appellant on record.

2) The learned AGP has submitted for passing appropriate orders.

3) In view of the submissions so made, legal heirs of deceased appellant, as are mentioned in the application, be taken on record. Delay caused in filing the applications stands condoned. Abatement, if any, set aside. Amendment be carried out within two weeks. Both the civil applications stand disposed of.

4) Place the appeals for final hearing after three weeks.

(P.R. BORA, J.)
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