

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

940 CIVIL APPLICATION NO. 5177 OF 2016
IN SA/775/2015

KESHAV EKNATHRAO NAGARGOJE
VERSUS
MADAN WAMAN SHIRSAT AND OTHERS

Shri. Avinash A. Khande, Advocate, for applicant.

CORAM: T.V. NALAWADE, J.

DATE : 30 JUNE 2016

ORDER:

1) The application is filed for condonation of delay of more than 3 years caused in bringing legal representative of respondent No.4 on the record. Other side is served but nobody has turned up for the other side. It appears that the deceased was real brother of the plaintiff. Generally parties do not turn up at the time of hearing of the appeal and such things take place. In view of these circumstances, this Court holds that sufficient cause is shown.

2) The application is allowed. Delay is condoned. Permission is granted to bring legal representatives of respondent No.4 on the record. Amendment be carried out in the appeal memo. Issue notice to the legal representatives of respondent No.4 as nobody is present today for the legal representatives, made returnable on 3rd October 2016.

Sd/-
(T.V. NALAWADE, J.)

rsl