

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

**CIVIL APPLICATION NO. 8219 OF 2016
IN
FIRST APPEAL NO. 149 OF 2007**

Maruti Karbhari Berad
(Since deceased) Through L.Rs.
Eknath Maruti Berad and Others

..APPLICANTS

VERSUS

State of Maharashtra and Others

..RESPONDENTS

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Mr. C.K. Shinde, Advocate for applicant.
Mr. S.N. Morampalle, A.G.P. for Respondent No.1.
Mrs. Deepali Jape - Ansingkar, Advocate for Respondent Nos.2 to 5.

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**CORAM : P.R. BORA, J.
DATED : 01st AUGUST, 2016**

ORDER :

. Mr. Shinde, learned Counsel for applicants submitted that First Appeal No. 149 of 2007 filed by the State has been dismissed by this Court by order dated 25.04.2016. Learned Counsel submits that at the relevant time, the information was not available that Respondent No.1 in the aforesaid appeal had expired. The learned Counsel submits that after receiving the information from the legal representatives of the deceased – Respondent No.1, present application has been filed. The learned Counsel

submits that since the information regards to the death of Respondent No.1 was received late, the delay has been caused in filing the present application. Learned Counsel therefore prayed for condonation of delay which has caused in filing the present appeal and for allowing the application so that the names of the legal representatives of the deceased – Respondent No.1 can be brought on record.

2. Learned Counsel for Respondent Nos.2 to 5 and learned A.G.P. do not have any objection for taking the names of the Legal Representatives of deceased – Respondent No.1 on record. In view of the submissions so made, the application is allowed. Legal Representatives of the deceased – Respondent No.1 be taken on record of First Appeal No. 149 of 2007. Necessary amendments be carried out forthwith. Civil application stands **disposed of**.

(P.R. BORA, J.)

SSD