

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

923 CIVIL APPLICATION NO. 9319 OF 2016
IN SA/380/2003

VIJAY MADHUSUDAN HOLKAR AND ORS
VERSUS
SHANKARRAO NARAYANRAO HOLKAR DIED LRS SUKENDRA AND
ORS

...
Advocate for Applicants : Bhandari Anand P.
Advocate for Respondents 1 & 2 : V.S. Bedre
Advocate for Respondents 2, 7 to 11, 12A & 12C : P.B. Vikhe
Advocate for Respondents 3, 4, 5: C.K. Shinde
...

CORAM : T.V. NALAWADE, J.
DATED : 1st July, 2016.

ORDER :

1. The application is filed for condonation of delay of of 34 days caused in bringing legal heirs of respondent No. 1 on record, for setting aside the abatement and for permission to bring the legal heirs on record. Heard the learned counsel for applicants and the learned counsel for legal heir. In view of the contentions made in the application and submissions made, this Court holds that sufficient cause is shown. The application is allowed. Delay is condoned. Abatement is set aside. Permission is granted to bring the legal heirs of deceased respondent No. 1 on record. Amendment is to be carried out immediately.

2. Notice in appeal to legal heirs. It is waived by Shri. Bedre.

3. The learned counsel for respondents requests for fixing of the matter for final hearing. List the matter on 4.8.2016 in urgent category.

[T.V. NALAWADE, J.]

ssc/