

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

**CIVIL APPLICATION NO. 7169 OF 2007
IN
WRIT PETITION NO. 3317 OF 1991**

Ram Mandir Devstan Sansthan, Rampeth
and Others

..PETITIONERS

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. N.S. Shah, Advocate holding for Mr. S.V. Natu, Advocate for applicants.

Mr. V.G. Shelke, AGP for Respondent Nos.1 to 6.

Mr. B.R. Warma, Advocate for Respondent No.2(a-i) and (a-ii).

Mr. R.L. Kute, Advocate holding for Mr. R.N. Dhorde, Advocate for Respondent No.2.

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**CORAM : RAVINDRA V. GHUGE, J.
DATED : 12th FEBRUARY, 2016**

ORAL ORDER :

1. The applicants are the original petitioners. This application has been filed for condonation of delay of 4603 days, for recalling the order of abatement and for bringing legal heirs of Respondent No.4 on record.

2. The applicants have narrated the reasons for the delay and the circumstances in which this application is filed.

3. The learned Counsel for the non-applicants opposed the application on the ground that the reasons putforth are not satisfactory. In the alternative, it is prayed that if this Court is inclined to allow this application, costs may be imposed and the said costs may be donated to the Advocate Associations' Bar Library, High Court, Aurangabad.

4. In the light of the above and for the reasons set out in the application, the same is allowed. Delay of 4603 days is condoned subject to payment of costs of Rs.5,000/- to the Advocate Associations' Bar Library, High Court, Aurangabad.

5. The costs shall be deposited on or before 26th February, 2016. After the costs are deposited, the petitioner is permitted to bring on record Respondent No.4(A) as the legal heir of the

deceased Respondent No.4. Mr. Mantri/Mr. R.R. Sancheti, learned Counsel has already caused an appearance on behalf of the said legal heir i.e. Respondent No.4(A), hence waives service in the writ petition.

(RAVINDRA V. GHUGE, J.)