

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

**CIVIL APPLICATION NO. 1243 OF 2016
IN
WRIT PETITION NO. 3499 OF 2002**

Shamsundar @ Shamlal Nanakram Ahuja
(Since Deceased) Through L.Rs. ..APPLICANTS

VERSUS

Somaiya Organo Chemicals Ltd. and Others ..RESPONDENTS

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Mr. S.V. Hange, Advocate holding for Mr. V.R. Dhorde, Advocate for applicant.

Mrs. S.D. Kulkarni, Advocate holding for Mr. S.S. Kulkarni, Advocate for Respondent Nos.2 to 12.

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**CORAM : RAVINDRA V. GHUGE, J.
DATED : 26th FEBRUARY, 2016**

ORAL ORDER :

1. The applicants pray for bringing legal heirs of deceased Petitioner No.1 on record (Applicant Nos.1-A to 1-C) so also Petitioner No.2-A (Applicant Nos.2A-1 to 2A-4).

2. The learned Counsel for the applicants has taken me through the reasons set out in the application.

3. Mrs. S.D. Kulkarni, learned Counsel appearing on behalf of the Respondent Nos.2 to 12 submits that the application deserves to be rejected since the reasons set out in the application are unacceptable and are not convincing.

4. In the light of the above and considering the fact that the petition is pending final hearing having been instituted in 2002, this application is allowed.

5. The delay caused in filing this application is condoned subject to the applicants depositing the cost of Rs.2,000/-. The learned Counsel for the respondents submits that the said cost can be donated to the Advocate Associations' Bar Library, High Court Aurangabad.

6. In the light of the above, the costs shall be deposited by the applicants with the Advocate Associations' Bar Library, High Court Aurangabad within a period of three weeks from today. After the costs are deposited, the applicants shall take steps to bring

Applicant Nos.1-A to 1-C and Applicant Nos.2A-1 to 2A-4 on record in the petition within two weeks thereafter.

7. Needless to state if the above directions are not complied with, this application shall stand rejected and the petition shall then stand abated to the extent of Petitioner Nos.1 and 2-A.

(RAVINDRA V. GHUGE, J.)