

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
921 CIVIL APPLICATION NO. 6343 OF 2016
IN FA/998/2004**

**VIRSEN KUMUDRAO RAJE NIMBALKAR
VERSUS
PRATAPRAO BHUPALRAO RAJE SINCE DECEASED THR HIS LRS
SARVADAMAN PRATAP RAJE NIMBAL**

...

Advocate for Applicant : Mr. Hon Ashwin V.

CORAM : K. K. SONAWANE, J.

DATE : 16th November, 2017

ORDER:

1. Heard learned counsel for the applicant. The application is for seeking permission to bring the legal heirs of deceased respondent No.3 Santaji Bhupalrao Rajenimbalkar on record. It has been submitted that respondent No. 3 is no more and died on 20th October, 2015. The applicant is intending to bring the legal heirs of respondent No.3- Santaji on record but there is delay of one day in filing the application. Hence it is prayed that delay be condoned and the applicant be allowed to bring the legal heirs of deceased respondent No.3 on record.

2. In view of the submissions and the reasons mentioned in the application, the application is allowed in terms of prayer clauses (A) and (B). The

applicant is permitted to bring the legal heirs of Respondent No.3 on record. Delay in filing the application is hereby condoned. Applicant to carry out requisite amendment within two weeks. Abatement of the proceedings following death of respondent No.3 stands quashed and set aside.

3. Civil application stands disposed of in above terms.

(K. K. SONAWANE, J.)

JPC