

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

923 CIVIL APPLICATION NO. 14527 OF 2017
IN SA/748/2008

SHANKAR KAUTIK PATIL LRS BALU AND OTHERS
VERSUS
PRADEEP BARKU PATIL AND ORS

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Advocate for Applicants : Mr. Bhokarikar Madhav M
Advocate for Respondent No.1 : Mr. Dipesh Pande, h/f Mr. V. S. Malte.
Advocate for Respondent No.2 : Mr. P. B. Patil.
AGP for Respondent / State : Mr. P. N. Kutti.

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CORAM : **V. K. JADHAV, J.**
DATE : 08th December, 2017.

P.C.:

. Heard the learned counsel for Appellant / original Plaintiff and the learned counsel for Respondent / original Defendant No.1.

2 The learned counsel for Applicant submits that the legal heirs of Appellant sole were not knowing about the exact nature of pending litigation and only upon telephonic message received from the counsel, they came to know about the matter. Applicant No.1 is the elder son of deceased residing in Surat and as such, the application could not be filed within time.

3 The learned counsel for Respondent / original Defendant No.1 has also not seriously resisted the application.

4 In view of the above and for the reasons stated in the application, the application is allowed in terms of prayer clauses (b) and (c). Civil application is accordingly disposed of.

[V. K. JADHAV, J.]

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