

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 1878 OF 2017
IN
WRIT PETITION NO. 1178 OF 2016**

Dhanasingh Sarjerao Jagtap & Ors. .. Petitioners
Vs.
Lalasaheb Babanrao Wable & Ors. .. Respondents

Mr. Dinesh P. Kolekar for the Petitioners.
Mr. Dilip Shinde i/b Nilesh Wable for the Respondent Nos.2 to 5.

CORAM : A. S. GADKARI, J.
DATE : 29th AUGUST, 2017.

P. C. :

1. This is an application for bringing legal heirs of respondent No.1 on record. There is delay of 619 days in preferring the present application. Mr. Shinde, learned counsel holding or Mr. Nilesh Wable waives notice for respondent Nos.1(a) to 1(e) and submitted that the delay of 619 days has not been satisfactorily explained by the petitioner and if the Court is inclined to allow the application, the petitioner be imposed with costs.

2. In view of the above and for the reasons mentioned in the application, the application is allowed in terms of prayer clauses 7(i) and (ii) subject to condition that the petitioner shall pay costs of Rs.2,000/- to the High Court Legal Aid Committee within a period of two weeks from

today. The payment of costs shall be condition precedent for allowing the application.

3. Application is allowed in the above terms.

[A. S. GADKARI, J.]