

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Civil Application (Z) No. 7of2017
&
Civil Application (Z) No. 8of2017
&
Civil Application (Z) No. 9of2017
in
L.P.A. No.508 of 2010
in
Writ Petition No. 3486 of 1999

(Narayan s/o. Tukaram Lanjewar & Ors...Vs...Baliram s/o. Shivram Bendre)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr. M.D. Zoting, Advocate for petitioners.
Mr. S.R. Deshpande, Advocate for respondent nos. 1(a)
to 1(e)

CORAM : B.P.DHARMADHIKARI &
R.B.DEO, JJ.

DATE : 24.07.2017.

Heard.

Respondent in LPA expired on
29.10.2010 and these applications have been
filed on 17.3.2017 for condoning delay, for
setting aside abatement and for permission to
bring his legal heirs on record.

Advocate Shri. S.R. Deshpande,
appearing for legal heirs is strongly opposing
the prayers. He submits that parties are

residing same village and therefore, fact of death was within knowledge. He also adds that efforts is to prolong litigation as interim orders are operating.

The judgment delivered by learned Single Judge in Writ Petition has been questioned before this Court. The applicants claim that they were not aware of the obligation on their part to bring legal heirs on record. Taking overall view of the matter, we do not see any malafides.

Hence, subject to applicants paying amount of Rs. 3,000/- as cost to respondent legal heirs, we condone delay.

The applications are accordingly allowed and legal heirs are permitted to be brought on record after costs are paid. Cost be paid within six weeks.

Advocate Shri. Deshpande waives notice for legal heirs being brought on record.

JUDGE

JUDGE