

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 CIVIL APPLICATION NO. 7045 OF 2016
IN WP/5678/1999

SHANKAR MOTIRAM DIED THROUGH LRS DATTA SHANKAR
KADABE AND OTHERS
VERSUS
PARSHRAM VITAL NARWADE AND OTHERS

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Advocate for Applicants : Mr. K. R. Deshpande h/f
Mr. A. M. Dabir

Advocate for Respondent No.1 : Mr. A. S. Mete h/f
Mr. V. G. Mete

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CORAM : V. K. JADHAV, J.
DATED : 9th MARCH, 2018

PER COURT :-

1. Heard. Issue notice to the proposed legal heirs. Learned counsel submits that he has instruction to appear on behalf of the proposed legal heirs of respondent No.1-a to 1-f and in due course he would file the Vakalatnama.

2. Learned counsel for the applicants submits that the applicants have no knowledge about the death of respondent No.1 till 08.01.2016. Advocate for respondent No.1 has submitted a pursis in the Registry of this court on 08.01.2016 about the death of his client and thereafter the applicants have

tried to collect the information about the names of legal heirs of respondent No.1. Immediately after receiving the said information, this civil application has been filed for bringing his legal heirs on record.

3. Learned counsel for the proposed legal heirs has strongly resisted the application on the ground that the delay has not been explained satisfactorily.

4. It appears that though the respondent No.1 died on 28.05.2012, counsel appearing for respondent No.1 for the first time informed to the court about the death of respondent No.1 on 08.01.2016. It appears that the civil application has been filed on 13.01.2016.

5. In view of the above and for reasons stated in the application, civil application is allowed in terms of prayer clause "B & C".. Civil application accordingly disposed of.

(V. K. JADHAV, J.)