

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CIVIL APPLICATION NO.3451 OF 2018
IN
WRIT PETITION NO. 6923 OF 2009

ANITA JEEVAN DESHMUKH
VERSUS
NILESH VIJAY DESHMUKH AND OTHERS

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Advocate for the Applicant : Shri A.R.Tapse h/f Shri Suryawanshi Prashant
D..

Advocate for Respondent No.1 : Ms.R.M.Mohare h/f Shri S.S.Chaudhari.

AGP for the Respondents/ State : Shri B.A.Shinde.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 22nd June, 2018

Per Court:

1 The Applicant prays for condonation of delay of 1089 days and for bringing the legal heirs of the deceased Respondent No.1 on record.

2 The learned Advocate appearing for the legal heirs opposes this Civil Application. In the alternative, the learned Advocate prays for imposition of heavy costs.

3 Considering the above and keeping in view that the delay is of about three years, this Civil Application is allowed on the condition that the Applicant shall pay an amount of Rs.1500/- (Rupees One Thousand

Five Hundred) as donation for the Ghati Hospital, Aurangabad (Government Medical College and Hospital, Aurangabad), to be deposited with the Medical Officer, High Court Dispensary, Aurangabad, either in cash or by Demand Draft, to be drawn in the name of "Dean, Government Medical College and Hospital, Aurangabad, CSR Fund" on or before 06.07.2018 and produce a receipt of the same in the Registry of this Court on or before 11.07.2018, failing which, this order shall stand recalled and the Writ Petition shall stand abated as against the deceased Respondent No.1.

4 After the above directions are complied with, the Applicant/ Petitioner shall carry out necessary amendment in the Writ Petition within a period of four weeks thereafter.

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(RAVINDRA V. GHUGE, J.)