

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

CIVIL APPLICATION NO. 15533 OF 2016
IN SAST/8441/2007

REUBAI NARAYAN KALSE DIED NARMADA
VERSUS
LAXMAN RAMA KALSE AND ORS

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Advocate for the Applicants : Shri P B Shirsath.
Advocate for Respondents 1 and 19 : Shri R.R.Sancheti.

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 12th January, 2018

Per Court:

1 The Applicants/ Appellants pray for condonation of delay of 1803 days caused in bringing the legal heirs of the deceased Respondent No.17 on record, who has passed away on 26.04.2011. Similar prayer is with regard to the deceased Respondent No.18, who has passed away on 17.05.2015 and delay is only 352 days.

2 The learned Advocate for the Non Applicants has strenuously opposed this application and prays that it be rejected with costs. In the alternative, it is submitted that if the court is inclined to allow the application, heavy costs be imposed and the amount be donated to the Advocates Association of Bombay High Court, Bench at Aurangabad.

3 Considering the above and for the reasons set out in the Civil

Application, the same is allowed and delay is condoned on the following conditions:-

- (a) The Applicant shall deposit an amount of Rs.500/- (Rupees Five Hundred) with regard to the condonation of 352 days delay and Rs.2500/- (Rupees Two Thousand Five Hundred) with regard to condonation of delay of 1803 days, with the Advocates Association of Bombay High Court, Bench at Aurangabad on or before 02.02.2018.
- (b) After depositing the above amounts, the Applicant/ Appellant shall bring the legal heirs of the deceased Respondents on record in Civil Application No.1360/2008 as well as in the Second Appeal, which is on stamp number 8441/2007, on or before 02.02.2018.
- (c) If either of the above directions are not complied with, this Civil Application shall stand rejected.