

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

910 CIVIL APPLICATION NO. 12962 OF 2018
IN FA/780/2005

DINKAR VINAYAK DESHMUKH (DIED) THR LRS BALASAHEB AND
ORS

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Applicants : Mr.Bhandari Anand P. And M.
S.S. Koranne

AGP for Respondent No. 1: Mr.S.P. Deshmukh.

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CORAM : SUNIL K.KOTWAL, J.

DATE : OCTOBER 17, 2018

O R D E R :

Heard learned counsel for applicant and the learned AGP for the State. Though on the face of record it appears that inordinate delay of 4648 days has been caused in filing the application to bring the legal representatives of the appellant on record, the learned counsel for applicant points out that the Legal representatives were not aware about the filing of the appeal.

2. Considering this reason and the rights of the legal representatives, it is desirable to condone the delay caused in filing the application for bringing legal heirs of appellant on record.

3. Therefore, Civil Application is allowed in terms of prayer clauses B, C and D. The delay in filing application to bring the legal heirs of appellant on record is condoned. The legal representatives of the original appellant be brought on record in First Appeal No. 780 of 2005.

3. Appeal memo be amended accordingly. Abatement order is set aside.

4. Civil application is disposed of.

5. Appeal be fixed for final hearing on 19.10.2018.

6. Stand over to 19.10.2018.

[SUNIL K.KOTWAL, J.]

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