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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 2279 OF 2018
IN
WRIT PETITION NO. 8702 OF 2017**

Rajbihari Pathak

.....Applicant

V/s.

State of Maharashtra through Govt Pleader
and others

.....Respondents

Ms. Prachi Jadhav a/w Ms. Hema C. i/b Mr. Ashish Mehta for the
applicant

Shri. P. P. Pujari AGP for respondent nos. 1, 4 & 5

Shri. O. R. Tiwari for respondent no. 2

Ms. Aparna Muralidharan for respondent no. 4

CORAM : NITIN W. SAMBRE, J.**DATE : 16th OCTOBER, 2018.****P.C.**

Not on board. Taken on board.

2 This is an application for bringing legal heirs of respondent no.
2 on record. Heard the learned counsel for applicant, the learned
counsel for legal heirs and the learned AGP.

3 The prayer for condonation of delay is objected on the ground

that delay is not properly explained and there are no bonafides.

4 The fact remains that applicant/petitioner has come out with an explanation about ill health of his son who was bed ridden so also about his own health condition. Apart from above, the fact remains that there are other remains that there are other respondents to the petition who have not objected for condonation of delay.

5 For the aforesaid reasons, the delay caused in preferring the application of 193 days stands condoned subject to payment of cost of Rs. 1000/- to be paid to the learned counsel for legal heirs within 4 weeks from today. Upon payment of cost, amendment to be carried out within period of 4 weeks from today. If the payment of cost and amendment as ordered is not carried out, application stands dismissed without further reference to the Court.

6 Application stands disposed of.

[NITIN W. SAMBRE, J.]