

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2842 OF 2017
IN
WRIT PETITION NO.955 OF 1997**

Rabaji Namaji Bhore (since deceased)
through his legal heirs

1a. Ulhas Rabaji Bhore & Ors. .. Applicants/Petitioners

Vs.

Mahadu Namdeo Bhore (since deceased)
through his legal heirs

1a. Uttam Mahadu Bhore & Ors. .. Respondents

Mr.V.S. Tadke i/by Mr.M.B. Gawade for the applicants/petitioners.

Ms.Ruchita Kadam i/by Mr.S.A. Dhamale for the respondent nos.1 to 4.

Ms.K.N.Solunke, AGP for the respondent no.5-State.

CORAM : R.D. DHANUKA, J.

DATE : 21st February 2018

P.C.:

. By this civil application, the applicants seek condonation of delay of 6 years and 152 days in filing the civil application and for bringing the legal heirs of the original respondent nos.1 & 3 on record. Copy of the death certificate is annexed to the civil application.

2. Learned counsel appearing for the respondent nos.1 to 4 has vehemently opposed this application. No affidavit-in-reply is filed.

3. For the reasons recorded in the civil application, the applicants have made out a case for condonation of delay and for amendment. Delay in filing the civil application is condoned. Civil application is made absolute in terms of prayer clauses (b) to (c). No order as to costs. Amendment to be carried out within two weeks from

today. Amended copy of the petition shall be served upon the respondents' advocate within one week from the date of carrying out amendment. Abatement, if any, is set aside.

R.D. DHANUKA, J.