

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

924 CIVIL APPLICATION NO. 473 OF 2019

IN

WRIT PETITION NO.5475 OF 2014

TRYAMBAK NAMDEV MALI THROUGH L.RS.

VERSUS

JIJABAI BHATU SONAR AND OTHERS

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Advocate for Applicants : Shri Sancheti Rahul R.

Advocate for Respondents 1 to 4 : Shri Solshe V.C. h/f Shri Patil M.H.

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CORAM : RAVINDRA V. GHUGE, J.

Dated: January 08, 2019

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PER COURT :-

1. The applicants are the L.Rs. of the sole petitioner, who has passed on 5.5.2017. They desire to be brought on record in the petition. Delay of 522 days has been caused in filing this civil application. They would be rendered remediless if their application is not allowed.

2. Learned Advocate for the respondents has strenuously opposed the civil application. It is submitted that satisfactory reasons have not been cited while seeking condonation of delay.

3. I find that if this Civil Application is rejected, the Writ Petition will have to be disposed off as abated and these applicants would suffer an irreparable loss, as they would not be able to participate in the litigation, which involves an immovable property. Costs can be imposed and the delay can be condoned.

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2-CIVIL APPLICATION NO. 473 OF 2019

4. In view of the above, the application is allowed. The delay is condoned, subject to costs of Rs.1,000/- to be paid by the applicants to the respondents 1 to 4. The amount shall be deposited in this Court within three weeks from today and the respondents will withdraw the said amount in equal proportions, without conditions. The L.Rs. should be brought on record in the petition on/or before 21.1.2019, failing which, the petition shall stand abated without reference to the Court on 22.1.2019.

5. After the above directions are complied with, list the petition for admission on 4.2.2019.

(RAVINDRA V. GHUGE, J.)

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