

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

912 CIVIL APPLICATION NO.4208 OF 2019
IN SA/453/2010

INDUBAI SHIVRAM BADGUJAR DECEASED THROUGH LRS SHIVRAM
AND OTHERS
VERSUS
BANSI BALIRAM TAGWALE DEAD THROUGH LRS SMT KUSUM BANSI
TAGWALE AND OTHERS

.....

Advocate for Applicants : Mr. Vikram R. Dhorde
Advocate for Respondents no.2B to 2E, 2H, 2J and 04 : Mr. S.P. Brahme
Appeal dismissed as against Respondents no.1A, 1C, 2G, 3A and 05.

.....

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 05TH APRIL 2019

ORAL ORDER :

Heard both sides.

02. Office objection is waived. By the present application, the applicants - appellants are praying that they be permitted to bring legal representatives of deceased respondent no.1B on record. There is a delay of 1703 days caused in bringing the legal representatives of respondent no.1B. The delay is also sought to be condoned.

03. The applicants - appellants have also prayed that they be permitted to bring legal representatives

of deceased respondent no.2G on record. There is delay of 2367 days caused in bringing legal representatives of respondent no.2G.

04. Respondent no.1B expired on 24-04-2014, whereas respondent no.2G expired on 29-06-2012. It has been contended that the learned Advocate representing those respondents did not inform the fact of death to the applicants. It was informed only on 13-03-2019 by filing Pursis and thereafter they have filed the present application.

05. Since the intimation itself by the learned Advocate for the respondents was belated, he has no objection to condone the delay.

06. For the reasons set out in the application, the application is allowed. Delay caused in bringing legal representatives of deceased respondent no.1B and deceased respondent no.2G is condoned. Legal representatives of deceased respondent no.1B are permitted to be brought on record. So also, legal representatives of deceased respondent no.2G are permitted to be brought on record. Necessary amendment to that effect be carried out within 14 days.

(Smt. Vibha Kankanwadi)
JUDGE

.....