

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

CIVIL APPLICATION NO.14907 OF 2018
IN WP/3348/1999

LAXMAN GANPATI MALI AND OTHERS
VERSUS
NAMDEO RAOSAHEB DESHMUKH AND OTHERS

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Advocate for the Applicants : Shri D.R.Shelke h/f Shri Dhase Rahul P.
Advocate for Respondents 4A to 4C, 4D(I) to 4D(III) : Shri V.B.Deshmukh
h/f Shri S.Y.Patil

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CORAM: RAVINDRA V. GHUGE, J.

DATE :- 27th September, 2019

Per Court:

1 This Civil Application is filed for seeking condonation of delay of 06 years and 03 months in bringing the legal heirs of the deceased respondent no.4 on record.

2 The learned advocate for the applicants and the learned advocate for the contesting respondents seek an adjournment. Since the application is pending for more than one and half years, the adjournment is not granted. They have then canvassed their submissions.

3 I find from the record that the writ petition of 1999 has been admitted and no interim relief has been granted. It is a common experience that after the petition gets admitted, the litigant gather an

impression that the writ petition would be taken up for final hearing after about 15 to 20 years. It is only when the lawyer informs the parties that the matter is listed for final hearing, that the parties wake up and such instances of the legal heirs being brought on record are brought before the court.

4 The writ petition is of the year 1999 and is ripe for final hearing.

5 Considering the above, no prejudice would be caused to any of the parties if the legal heirs of the deceased respondent no.4 are brought on record.

6 In view of the above, this Civil Application is allowed. Delay of 06 years and 03 months is condoned on the condition that the petitioners shall deposit an amount of Rs.6000/- (Rupees Six Thousand) in this Court. Addition of the parties and deposit of the money, shall be done on or before 18.10.2019. Respondent nos.4A to 4C and 4D(i) to 4D(iii) shall withdraw the said amount of Rs.6000/- from this Court, without conditions, in equal proportion.