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

**CIVIL APPLICATION NO.2376 OF 2005
IN
SECOND APPEAL NO.779 OF 2005**

Shirish Dyandeo Shinde and Ors.

... Applicants

Vs.

Maruti Kashyaba Shinde and Ors.

... Respondents

Mr.R.R. Galange i/b. Mr. H.S. Venegaonkar for the Applicants/Appellants.
Mr. D.J. Shejul for the Respondents.

CORAM : SMT. SADHANA S. JADHAV, J.

DATE : 29th JANUARY 2020.

P.C.:

1 This is an application for bringing the legal heirs of Appellant No.4 on record. Appellant No.4 has expired on 20th August 2016. Application for bringing the legal heirs is filed on 5th December 2018. There is a delay of 2 years and 17 days in filing the said application. No plausible explanation has been given for the inordinate delay in filing the application. The learned counsel for the respondents has vehemently opposed the application on the ground that the appellants herein have caused inordinate delay in bringing the legal heirs of the appellants on

record without assigning any reason. However, in the interest of justice, the rights of the legal heirs have to be determined especially married daughters at Sr. No.4D, 4E and 4F. In view of this, application deserves to be allowed by imposing cost of Rs.1,000/- to be paid to the Maharashtra State Legal Services Authority. Application is allowed and disposed of.

(SMT. SADHANA S. JADHAV, J.)