

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

918 CIVIL APPLICATION NO.2971 OF 2016
IN FA/82/2000 WITH CA/1469/2000 IN FA/82/2000

KERBA GANGARAM KAMBLE
VERSUS
GANGARAM DNYANOBA SHRANGARE DIED THR LRS RANGUBAI
ANDORS

Advocate for Applicant : Mr Balbhim R. Kedar
Advocate for Respondent No.1 to 3 and 5 to 7 : Mr U.P. Giri
Advocate for Respondent No. 4 : Mr N.D. Kendre

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 27th OCTOBER, 2021

PER COURT :

1. Leave to correct name of respondent No.6-Sunita alias Mahananda.
2. It is an application to bring on record the legal heirs for condonation of delay and setting aside abatement order, if any.
3. Heard Mr Kedar, learned counsel for applicant, Mr N.D. Kendre, learned counsel for respondent No. 4 and Mr U.P. Giri, learned counsel for respondent Nos. 1 to 3 and respondent Nos. 5 to 7.
4. None present for remaining respondents.
5. There seems to be delay of 3151 days in filing this application so as to bring on record the legal heirs of the sole respondent.
6. Mr Kendre, learned counsel for respondent No. 4 strongly opposed to condone the delay.

7. By looking to the nature of dispute, it is necessary to condone the delay. With this, I conclude and proceed to pass the following order :-

ORDER

- (I) The application is hereby allowed in terms of prayer clause (B) and (C).
- (II) The applicant to take necessary steps for carrying out the amendment.
- (III) After making necessary amendment in the title cause of the appeal, issue notice of final disposal to the newly added respondents, returnable on 08.12.2021.
- (IV) After service is complete, list the matter before this court.

[SHRIKANT D. KULKARNI, J.]

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