

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

**CIVIL APPLICATION NO.7006 OF 2021
IN FA/977/2002
BALKISHAN MISHRIMAL DARAKH SINCE DECEASED THROUGH HIS
LRS. SHRIKRUSHNA AND OTHERS
VERSUS
DWARKADAS MISHRILAL DARAKH AND OTHERS**

Mr.P.R.Katneshwarkar, Advocate for the applicants.
Mr.V.R.Mundada, Advocate for respondent Nos. 3, 4 and 5.

**(CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, JJ)**

DATE : JULY 29, 2021

PER COURT :

1. On instructions, the learned Advocate for the applicants seeks liberty to withdraw this civil application to the extent of prayer clause "C" so as to file an independent civil application for seeking leave to withdraw FA No.977/2002.

2. In so far as the prayer for bringing the LR's on record and for condonation of delay, the learned Advocate for the above non applicants does not oppose this civil application.

3. In view of the above, this civil application is allowed and the delay of 1467 days is condoned. The LR's of the deceased original appellant Balkishan shall be brought on record in the first appeal within 10 days from today. Liberty is granted to these applicants to file a separate application for seeking leave to withdraw FA No.977/2002.

(S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)