

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 CIVIL APPLICATION NO.8111 OF 2020
IN SA/478/2006

BABURAO BHAURAO BHORE DIED LRS. KASHINATH BABU BHORE
AND OTHERS
VERSUS
BHAUSAHEB DAGDU PECHE

...

Advocate for Applicants : Mr. M M Patil Beedkar
Advocate for Respondent No.1 : Mr. V. D. Rakh (Absent)

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 27.07.2021

ORDER :-

. Learned Advocate Mr. Patil appearing for the applicants submits that in view of the order passed by this Court on the last date, he had contacted Mr. Rakh representing respondent No.1 and informed about today's date, however, it appears that Mr. Rakh is not present either virtually or physically.

2. It is to be noted that there are respondent Nos.2 to 6 in the main second appeal who are represented by learned Advocate Mr. S. S. Patunkar. Admittedly, they are the sons of the original appellant. Now, the original appellant has expired and, therefore, said respondent Nos.2 to 6 and other heirs want to bring themselves on record. In other

words, respondent Nos.2 to 6 want to get themselves transposed as appellants along with the other left out heirs of deceased Babu. Though there appears to be delay, respondent Nos.2 to 6 were already on record and, therefore, there is no hurdle in condoning the delay, however, for taking such a long time, the applicants-appellants should deposit the cost. Hence, delay stands condoned. Application stands allowed and disposed of.

3. Legal representatives of the sole appellant be brought on record within a period of one week.

4. Applicants to deposit cost of Rs.10,000/- in this Court within a period of one month.

5. After the cost is deposited, it be given to the respondent, though learned Advocate Mr. Rakh is not appearing today.

[SMT. VIBHA KANKANWADI, J.]

scm