

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

CIVIL APPLICATION NO.9438 OF 2021
IN WP/5361/2010 WITH WP/5361/2010 WITH WP/138/2019

**GULABSING HARSING ALIAS SURATSING SONAWANE
SINCE DECEASED THR LRS RENUKA GULABSING
SONAWANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for the Applicants : Shri A.R. Syed h/f Shri Brahme
Shailesh P.

AGP for Respondents 1 and 2 : Shri S.B. Pulkundwar
Advocate for Respondent 4 : Shri A.S.Bayas

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

DATE :- 24th September, 2021

Per Court :-

1. By this Civil Application, the applicants pray for condonation of 21 days delay in filing this application seeking leave to bring the legal heirs of the deceased sole petitioner on record. The applicants claim to be the legal heirs of the deceased petitioner, who passed away on 14.04.2021.

2. The learned advocates for the non applicants oppose the application.

3. We find that the delay of 21 days is minor. Laches

are not attributable to the conduct of the applicants. If the legal heirs are not brought on record, the writ petition would abate as the sole petitioner has passed away.

4. In view of the above, this Civil Application is allowed. The legal heirs of the deceased Petitioner (Gulabsingh Harsingh Sonawane) be brought on record, on or before 08.10.2021.

5. List both the Writ Petitions for final hearing on 14.10.2021.

kps (S.G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)