

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 CIVIL APPLICATION NO.8339 OF 2021
IN CA/1619/2016

RAMESH SITARAM GANGADHARE AND ANOTHER
VERSUS

DIPAK MOHANRAO JADHAV AND OTHERS

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Mr. G.K. Thigale-Naik, Advocate for applicants

Mr. B.R. Waramaa, Advocate h/f Mr. U.C. Agrawal, Advocate for the
respondent No.1

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 20th AUGUST, 2021.

PER COURT :

1 Heard learned Advocate Mr. G.K. Thigle-Naik for applicants and
learned Advocate Mr. B.R. Waramaa holding for learned Advocate Mr. U.C.
Agrawal for the respondent No.1.

2 Present application has been filed for bringing legal
representatives of appellant No.2 on record. Appellant No.2 expired on
24.04.2020. Present application has been filed on 18.08.2021. Though the
applicants are taking help of the decision of Hon'ble Apex Court, extending

the limitation by order dated 27.04.2021, important point to be noted is that by the earlier order the limitation was extended, but it had ended in January, 2021 and it again started by order dated 27.04.2021. Therefore, definitely there was delay. Since the applicants want to bring the legal heirs of one of the appellants itself, they cannot claim that they were not aware about the death of appellant No.2. Absolutely no reasonable ground has been shown for the delay. Yet, taking into consideration liberal view, the delay stands condoned.

3 The legal representatives of deceased appellant No.2 be brought on record and the necessary amendment to that effect be made within a period of two weeks.

4 Applicants to deposit costs of Rs.500/- to the High Court Legal Services Sub-Committee, Aurangabad.

(Smt. Vibha Kankanwadi, J.)

agd