

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3340 OF 2021****IN****SECOND APPEAL NO. 205 OF 2008**

Rajaram Shankar Acharekar

... Applicant

In the matter between :-

Rajaram Shankar Acharekar

... Appellant

V/s.

Nandkumar Shankr Patil and Ors.

... Respondents

Shri. M.A. Patil, Advocate for Applicant/Appellant.

Smt. Teja Katdare, Advocate for Respondent No.1.

CORAM : A.S. GADKARI, J.**DATE : 22nd NOVEMBER, 2021.****PC. :**

1. This is an Application for bringing legal heirs of Respondent No.3 on record.

It is stated that, the Respondent No.3, i.e. Shri Kashinath Shankar Acharekar passed away on 20th December, 2015, leaving behind legal heirs Respondent Nos.3A to 3E of the said Respondent.

There is a delay of 5 years and 216 days in filing the present Application.

2. Smt. Katdare, learned counsel appearing for the Respondents and

legal heirs of Respondent No.3 has no serious objection in condoning delay and allowing present Application.

3. Perusal of the Application would indicate that, sufficient cause is made out for condonation of delay and allowing the Application.

In view thereof and for the reasons stated in the Application, delay is condoned, abatement, if any, is set aside and the Application is allowed in terms of prayer clauses (a) and (b).

4. Necessary amendment be carried out forthwith and in any event during the course of the day.

[A.S. GADKARI, J.]

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