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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4113 OF 2021
IN
WRIT PETITION NO. 13071 OF 2019**

Dada Shankar Bavkar, deceased through ...Applicants
LHRs Soma Dada Bavkar & Ors

Versus

Jayaram Abhiman Ragade & Ors ...Respondents

Mr. Prasad P. Kulkarni, for the Applicants.

CORAM: Smt. Bharati Dangre, J.

DATED: 17th December 2021

P.C.:-

1. By the present Interim Application, legal heirs of Petitioner No. 1, Dada Shankar Bavkar are sought to be brought on record on account of his demise on 29.06.2021. The delay caused in bringing the legal heirs of Petitioner No. 1 is sought to be condoned.

2. Perused the Application and heard the learned Counsel for the Applicants. The Interim Application deserve to be allowed, in the wake of the explanation offered for condoning

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the delay of 60 days in bringing the legal heirs of Dada Shankar Bavkar on record.

3. The Interim Application is allowed in terms of prayer clauses (b) and (c):

“(b) The delay of 60 days caused for bringing legal heirs of deceased Dada Shankar Bavkar be condoned and abatement if any may kindly be set aside;

(c) Allow the present application for bringing legal representative of Appellant – Dada Shankar Bavkar on record and carry out the necessary amendment;”

4. The necessary amendments shall be carried out within two weeks from today.

5. The order dated 10.01.2020 which requested the learned Extra Joint District Judge, Barshi to defer the hearing of Regular Civil Appeal No. 9 of 2014 beyond 17.02.2020 shall continue, subject to the stipulation that before the next date of hearing the Petitioner shall take steps to serve the Respondents.

6. In the absence of the service being effected, it is made clear that the order shall not be carried forward.

(Smt. Bharati Dangre, J.)