

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

953 CIVIL APPLICATION NO.4856 OF 2015
IN SA/449/2011

SHAIKH ISMAIL HAKKANI SAHEB LRS KHATUNBEE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THRO. THE COLLECTOR, LATUR AND
OTHERS

...
Advocate for Applicants : Mr. Vikram R. Dhorde
AGP for Respondent/State : Mr. S. B. Pulkundwar
...

CORAM : RAJESH S. PATIL, J.
DATE : NOVEMBER 11, 2022

PER COURT : -

1. This application is filed for bringing on record legal heirs of appellant no. 1 – Shaikh Ismail s/o Hakkani Saheb.

2. There is delay of 17 days in preferring this application. AGP for respondent/State opposes the application.

3. The Division Bench of this Court in **Keshao Kawadu Maral and another Versus State of Maharashtra**, reported in 2005 (supp.) B.C.R. 226, condoned the delay of six years in filing the application for bringing legal heirs on record relying upon judgment of Hon'ble Supreme Court in the case of **Sardar Amarjit Singh Kalra (Died) by LRs and others Versus Pramod Gupta (Smt.) Dead) by Lrs. And others**, reported in (2003) 3 SCC 272.

sgp

4. Relying upon the above judgments and for the reasons stated in the application, same is allowed in terms of prayer clause “A” and “B”. Abatement stands set aside.

5. The Civil Application stands disposed off.

6. Amendment to be carried out within a period of two (02) weeks from today.

[RAJESH S. PATIL]
JUDGE