

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

952 CIVIL APPLICATION NO.2164 OF 2015
IN SA/54/2001

LAXIMAN DHONDIBA CHAMLE AND OTHERS
VERSUS
LATABAI GUNWANT CHAMLE AND OTHERS

...

Advocate for Applicants : Mr. V. D. Gunale
Advocate for Respondent no. 1 : Mr. A. D. Chapule h/f
Mr. N. P. Jamalpurkar

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CORAM : RAJESH S. PATIL, J.

DATE : NOVEMBER 11, 2022

PER COURT : -

1. Civil Application No. 2164/2015 is filed for bringing on record legal heirs of deceased - applicant no. 5.
2. There is a delay of 4373 days in filing this application.
3. The counsel for respondent no. 1 opposes the application.
4. 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.

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

6. The Civil Application stands disposed off.

7. Amendment to be carried out within a period of three (03)
weeks from today.

[RAJESH S. PATIL]
JUDGE