

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

**CIVIL APPLICATION NO.1269 OF 2022
IN CA/1146/2013 WITH CA/1146/2013 IN RC/1046/2012**

**BHANUDAS VITHAL MORE AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, PARBHANI AND
ANR.**

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Advocate for Applicants : Mr. Chavan Sudhir K.
AGP for Respondent/State : Mr. S.W. Mundhe
Advocate for Respondent No.3 : Mr. G.R. Syed

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CORAM : MANGESH S. PATIL, J.

DATE : 24.02.2022

PER COURT :

This is an application for bringing on record the legal representatives of the applicant No.4 in CA No.1146/2013 which is an application for condonation of delay in filing the Second Appeal, as also for bringing on record the legal representatives of the respondent No.3.

2. There is a delay in making both the request. Though the delay is enormous, as far as the death of respondent No.3 is concerned, its intimation under Order XXII Rule 10-A of the Civil Procedure Code has been given in the month of October 2021.

3. Considering the grounds mentioned in the Application and taking into account nature of dispute pertains to the right to the immovable property, the delays are condoned and legal representatives are allowed to be brought on record. Amendment to be carried out within two weeks.

4. After such amendment is carried out, issue notice in the delay condonation Application No.1146/2013 to the respondent No.3's legal heirs. Mr. G.R. Sayed learned advocate waives service on their behalf. List that Civil Application for hearing on 14.03.2022.

(MANGESH S. PATIL, J.)

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