

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

CIVIL APPLICATION NO. 3430 OF 2022
WITH CA/3431/2022 IN WP/4223/2003
WITH WP/4223/2003
WITH CA/3432/2022 WITH CA/9935/2007
IN WP/3288/2003
WITH WP/3288/2003

**DNYANDEO NANA BANDAWAN AND OTHERS
VERSUS
SUKHDEO ISSA BANDAWAN DIED THROUGH HIS LRS
GANGUBAI SUKHDEO BANDWAN AND OTHERS**

Advocate for Applicants : Mr. R.C. Brahmanekar
h/f. Mr. N.L. Jadhav
AGP for Respondent/s – State : Mr. K.B. Jadhav
Advocate for Respondent Nos. 1 to 4 : Mr. M.A. Kulkarni
Advocate for Respondent Nos. 5, 7 to 11 : Mr. T.J. Poul
h/f. Mr. B.A. Dhengle

CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 11.03.2022

PER COURT :

1. These are the applications for condonation of delay and bringing the legal representatives of respondent Nos. 2 – Namdeo Issa Bandawan, 5 – Narayan Namdeo Bhadke and 7 – Digambar Haridas Bandwan, on record. Photostat true copies of their death certificates are annexed at Exhibit 'A'.

2. Learned counsel for the applicants submits that delay has occurred in bringing the legal representatives of respondent No. 5 –

Narayan and respondent No. 7 – Digambar, on record due to the Covid – 19 situation and so also, the applicants are rustic villagers who are illiterate.

3. The reason is justified and, therefore, the delay stands condoned by setting aside the abatement.

4. He also submits that some of the legal representatives of deceased Namdev are already on record namely Janabai Bandwan, Bhagubai Jadgav, Raosaheb Bandwan and Tanuja Deore. By the proposed amendment, the applicants seek to bring on record Ramesh Bandwan, Dadasaheb Bandwan, Sarika Bandwan and Komal Bandwan, who, according to them, are also the legal representatives of deceased respondent No. 2 – Namdeo.

5. Legal heirs of respondent Nos. 2 – Namdeo Issa Bandawan, 5 – Narayan Namdeo Bhadke and 7 – Digambar Haridas Bandwan, are permitted to be brought on record.

6. The applications are allowed. The applicants shall amend the petitions by bringing the legal representatives of deceased /respondent

Nos. 2, 5 and 7, on record by impleading them as parties / respondents. Necessary amendment shall be carried out within a period of three weeks from today. After amendment, the amended copies of the petitions to be supplied to the learned counsel for the respondents. Applications stand disposed of.

[PRITHVIRAJ K. CHAVAN, J.]