

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

33 CIVIL APPLICATION NO.2982 OF 2022
IN FAST/26200/2020

CHANBASSAPA REVAPPA HARLYYA (DIED) THR LRS. NAGAMMA AND ORS
VERSUS
THE STATE OF MAHARASHTRA, THRU COLLECTOR, OSMANABAD AND ORS.

Mr A.S. More, Advocate for applicants
Mr R.A. Tambe, Advocate for respondents no.1 to 3

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 7th March, 2022

PER COURT :

1. It is an application to bring on record legal heirs of original claimant.
2. Heard Mr A.S. More, learned Advocate for applicants and Mr R.A. Tambe, learned Advocate for respondents/appellants.
3. It is revealed that the original claimant died on 7.5.2021 and the legal heirs could not file this application within time which resulted into delay. The applicants have prayed to allow this application with a prayer to condone the delay. Mr R.A. Tambe learned Advocate for appellants strongly opposed to allow this application and submitted that there is inordinate delay in moving this application.
4. Having regard to the nature of dispute between the parties, it is necessary to allow this application. The original claimant died during COVID-19 Pandemic and as such, as per the orders of Honourable Supreme Court, the limitation period was suspended. As such, there is no delay.

ORDER

- (i) The Civil Application is hereby allowed in terms of prayer clause (B).
- (ii) The appellants are hereby permitted to bring on record the legal heirs of original claimant deceased Chanbassapa by making necessary amendment in the array of appeal memo.

(iii) The Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

vvr