

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6085 OF 2018
IN SECOND APPEAL NO. 51 OF 1994

RENUKA KUNDLIK THR LR PARMESHWAR KUNDLIK
DHUTRAJ
VERSUS
VITHAL TUKARAM INGOLE LRS SUDARSHAN AND OTHERS

...
Advocate for Applicant : Mr. A.S. Deshmukh

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CORAM : RAJESH S. PATIL, J.
DATE : 21st November, 2022.

PER COURT :

1. This Civil Application is filed for bringing legal heirs of deceased sole appellant. There is some delay in filing this application.
2. Nobody is appearing for the respondents today when matter is called out. This is admitted Second Appeal.
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.

4. Relying upon the above judgments and for the reasons stated in the application, Civil Application is allowed in terms of prayer clauses 'B' and 'C'.

5. The Civil Application is disposed off.

6. Amendment to be carried out forthwith.

[RAJESH S. PATIL]
JUDGE