

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

970 CIVIL APPLICATION NO.12395 OF 2015
IN SA/242/2011

VIJAY BHIKCHAND MUTHA AND OTHERS
VERSUS
BHIKCHAND DHONDIRAM MUTHA DECEASED AND OTHERS

...
Advocate for Applicants : Mr. Satyajit S. Bora

...
CORAM : RAJESH S. PATIL, J.
DATE : NOVEMBER 11, 2022

PER COURT : -

1. This civil application is filed or bringing on record legal heirs of respondent no. 7.
2. There is a delay of 251 days in filing this application. Office remark shows that respondent nos. 7A and 7B are already served, however, nobody appears for them.
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.

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4. 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.

5. The Civil Application stands disposed off.

6. Amendment to be carried out within a period of two (02) weeks from today.

[RAJESH S. PATIL]
JUDGE