

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

**CIVIL APPLICATION NO. 10182 OF 2008
IN FAST/4100/2007**

**THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
SITABAI LAXMAN CHINCHOLE AND ANOTHER**

...

Advocate for Applicants : Mr. A.M. Phule
Advocate for Respondent No. 2 : Mr. V.Y. Patil

CORAM : RAJESH S. PATIL, J.

DATED : 07 OCTOBER, 2022

PER COURT:-

1. Civil Application No. 10182/2008 is filed for bringing legal heirs of respondent No. 1 on record.
2. There is a delay of 366 days in filing this application. Learned counsel for respondent opposes the application.
3. The Division Bench of this Hon'ble High 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 of bringing legal heirs on record, relying on Supreme Court judgment 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 No. 10182/2008 is allowed in terms of prayer clause 'B'. The Civil Application stands disposed off. Abetment stands set aside.

5. Amendment to be carried out within a period of six (06) weeks from today.

[RAJESH S. PATIL, J.]