

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

CIVIL APPLICATION NO.5353 OF 2017
IN SA/811/2005

BANSILAL SAHEBRAO BHOS AND OTHERS
VERSUS
KANTILAL BHAUSAHEB KAPSE AND OTHERS

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Advocate for Applicants : Mr. S.V. Bhopi
h/f. Mr. Dhorde Vikram R
Advocate for Respondent No. 1 : Mr. S.P. Salgare
h/f. Mr. N. V. Gaware

CORAM : RAJESH S. PATIL, J.

DATE : 16TH NOVEMBER, 2022

PER COURT :

1. Civil Application is filed for bringing on record legal heirs of appellant No. 2.

2. There is a delay of 295 days in filing this application.
The counsel for respondent opposes the application.

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 'A' and 'B'. Abatement stands set aside.

5. The Civil Application stands disposed off.

6. Amendment to be carried out within a period of three (03) weeks from today.

(RAJESH S. PATIL, J.)