

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

911 CIVIL APPLICATION NO.4185 OF 2022
IN AO/47/2021 WITH CA/13612/2021 IN AO/47/2021

RADHAKRISHNA KASHINATH SHINDE AND ORS
VERSUS
TUKARAM NANA SHINDE AND ORS

...
Advocate for Applicants : Shirsath P B

...
CORAM : RAJESH S. PATIL, J.
DATE : OCTOBER 21, 2022

PER COURT : -

1. This application is filed for bringing on record legal heirs of respondent no. 2 in Appeal from Order.
2. Notices were issued to the proposed legal heirs of respondent no. 2. They have been served as per the office note on today's board.
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 for 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. In view of the judgment in the case of Keshao Maral (supra) and for the reasons stated in the application, the civil application is allowed in terms of prayer clauses 'B' and 'C' of the application.

sgp

5. Abatement, if any, stands set aside.
6. Amendment to be carried out within six (06) weeks from today.
7. Civil Application is accordingly disposed off.

[RAJESH S. PATIL]
JUDGE