

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

1001 CIVIL APPLICATION NO.13638 OF 2017
IN SA/109/1997

AMBADAS BHANUDAS HAGRE LRS BHAGWAN @ BABRUWAN LRS
SHANTABAI AND OTHERS

VERSUS

SHANTABAI VISHWANATH HAGRE AND OTHERS

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Advocate for Applicants : Mr. B.R. Sontakke Patil

Advocate for respondent nos. 1 to 5 : Mrs. Rekha Choudhari h/f Mr. S. S.
Choudhari

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CORAM : RAJESH S. PATIL, J.

DATE : NOVEMBER 11, 2022

PER COURT : -

1. This application is filed for bringing on record legal heirs of respondent no. 5.
2. Advocate Mrs. Rekha Choudhari is appearing for respondent nos. 1 to 4. She undertakes to file *Vakalatnama* for the legal heirs of respondent no. 5 i.e. respondent no. 5-a to 5-c.
3. There is a delay of 621 days in filing this application.
4. 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
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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.

5. Relying upon the above judgments and for the reasons stated in the application, same is allowed in terms of prayer clause "B", "C" and "D". Abatement stands set aside.

6. The Civil Application stands disposed off.

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

[RAJESH S. PATIL]
JUDGE