

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

1039 CIVIL APPLICATION NO.5054 OF 2020
IN SA/355/2007

CHAMU MAHARYA GAVIT
VERSUS
MALUBAI REYA GAVIT DECEASED LRS. SURAPA AND OTHERS

...
Advocate for Applicant : G. L. Gujar h/f Jayant R Shah
...

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

PER COURT : -

1. Civil Application No. 5054 of 2020 is filed for bringing on record legal heirs of applicant no. 3 – Smt. Rupali w/o Pachya Gavit.
2. There is a delay of 350 days in filing this 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, same is allowed in terms of prayer clause "A", "B" and "C". Abatement stands set aside.
5. The Civil Application stands disposed off.

6. Amendment to be carried out within a period of four (04) weeks from today.

[RAJESH S. PATIL]
JUDGE