

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

CIVIL APPLICATION NO. 1437 OF 2021
IN SA/335/1999

MUKTYAR ALI KHAN MOZAM KHAN DIED LRS. HAMEEDA
BEE AND OTHERS
VERSUS
YAKUB KHAN MOAZAM KHAN DIED LRS. YOUSUF KHAN
AND OTHERS

...

Advocate for Applicants : Mr. Syed Parvez Syed Gani
Advocate for Respondent Nos. 1/a : Mr. Y.M. Khan

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 2515 days in filing this application. The counsel Mr. Khan for respondent No. 1-A 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 'B' and 'C'. 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.)**