

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

**CIVIL APPLICATION NO.14027 OF 2016
IN FAST/16689/2011**

**DEVIDAS MADHAV INGALE DIED THR HIS LRS DATTA
DEVIDAS INGALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

Advocate for Applicants : Mr. Halkude S.S.
AGP for Respondent No. 1 : Mr. R.V. Dasalkar

CORAM : RAJESH S. PATIL, J.

DATED : 07 OCTOBER, 2022

PER COURT:-

1. Civil Application No. 14027/2016 is filed for bringing legal heirs of appellant no. 1 on record.
2. There is a delay of 1074 days in filing this application. Learned counsel for respondent opposes the application.
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 of 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. Relying upon the above judgments and for the reasons stated in the application, civil application No. 12962/2016 is allowed in terms of prayer clause 'B', subject to payment of costs of Rs. 1000/- to be paid by applicant No. 1/A to 1/D with the High Court Legal Services, Subcommittee, Aurangabad. The Civil Application stands disposed off. Abetment stands set aside.

5. Amendment to be carried out within a period of six (06) weeks from today.

[RAJESH S. PATIL, J.]