

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

993 CIVIL APPLICATION NO.5950 OF 2021
IN FAST/7004/2017

DATTAHARI DIGAMBAR UMBARDHALE (DIED) THR LRS
SANGEETA AND ORS

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Applicants : Mr. Sunil V. Kurundkar

AGP for respondent/State : Mr. R. V. Dasalkar

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CORAM : RAJESH S. PATIL, J.

DATE : OCTOBER 07, 2022

PER COURT : -

1. Civil Application No. 5950/2021 is filed for bringing legal heirs of applicant - Dattahari on record.

2. There is a delay of 67 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 SP Chauhan*

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. 5950/2021 is allowed in terms of prayer clause 'B' and 'D'.

5. The Civil Application stands disposed off.

6. Abatement stands set aside.

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

[RAJESH S. PATIL]
JUDGE