

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

CIVIL APPLICATION NO. 5851 OF 2021
IN SA/501/1999

RATAN NARAYAN PAWAR AND ANOTHER
VERSUS
MAHADU NAMDEO SALUNKE DIED THROUGH LRS1.
KALUBAI MAHADEO SALUNKE

...

Advocate for Applicants : Mr. Manale Satish S.
Advocate for Respondent : Mr. P.R. Tandale

CORAM : RAJESH S. PATIL, J.

DATE : 16TH NOVEMBER, 2022

PER COURT :

1. Civil Application is filed for bringing on record legal heirs of applicant No. 2.

2. Learned Advocate for the applicant states that there is no delay in filing this application. The counsel for respondent 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'. 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.)