

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9434 OF 2022
IN SECOND APPEAL NO. 601 OF 1992

NATHA NANA AVHAD DIED LRS ASHOK AND ANOTHER
VERSUS
MATHURABAI BAJIRAO AVHAD AND ANOTHER

...
Advocate for Applicants : Mr. D.R. Markad h/f. Mr. A.N. Kakade
Advocate for Respondents : Mr. P.R. Karpe h/f. Mr. V.S. Bedre
....

CORAM : RAJESH S. PATIL, J.
DATE : 21st November, 2022.

PER COURT :

1. This Civil Application is filed for bringing on record legal heirs of deceased sole appellant.
2. There is some delay for filing this application.
3. Learned Counsel for the respondents opposes this application vehemently.
4. 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.

5. Relying upon the above judgments and for the reasons stated in the civil application, civil application is allowed in terms of prayer clauses 'B' and 'C', subject to cost of Rs.1,000/- (rupees one thousand only) payable to the respondents.

6. The Civil Application is disposed off.

7. Amendment to be carried out within a period of two (2) weeks from today.

[RAJESH S. PATIL]
JUDGE