

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

965 CIVIL APPLICATION NO.9012 OF 2015
IN SA/499/2001

SUBHADRABAI BABU SHENDGE
VERSUS
NAGORAO RAMCHANDRA GARAD THROUGH LRS MAHATMA AND
ORS

...
Advocate for Applicant : Mrs. Rekha Choudhari h/f Mr. S. S. Choudhari
Advocate for respondent nos. 1-A, C, E, F : Mr. V. R. Dhorde

...

CORAM : RAJESH S. PATIL, J.

DATE : NOVEMBER 11, 2022

PER COURT : -

1. This is an application filed for bringing on record legal heirs of respondent no. 2.

2. There is a delay of 455 days in filing this application. Counsel for the respondent – Mr. V. R. Dhorde vehemently opposes the application.

3. Office remark shows that the proposed legal heirs of respondent no. 2 have already been served.

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 application, same is allowed in terms of prayer clause "B".
Abatement stands set aside.

6. The Civil Application stands disposed off.

7. Amendment to be carried out within a period of two (02) weeks from today.

[RAJESH S. PATIL]
JUDGE