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

CIVIL APPLICATION NO.5753 OF 2021
IN WP/5820/2021 WITH WP/5820/2021

SWATI MADHUKAR PAWAR AND OTHERS
VERSUS
GANPAT RAMBHAU SARWADE AND OTHERS

...
Ms Rashmi Kulkarni, Advocate h/f Mr A. C. Tripathi, Advocate
for applicants

Mr K. B. Jadhavar, A.G.P. for respondents/State

Mr R. L. Kute, Advocate for respondent Nos.2 to 11, 13 & 14

CORAM : SMT. BHARATI DANGRE, J.

DATE : 28th January, 2022

PER COURT:

1. Heard the learned Counsel for the applicants and perused the application, by which, the legal heirs of respondent No.1 are sought to be brought on record.

2. Perusal of the application reveal that respondent No.1 has expired on 09/03/2021 and the death extract has been issued on 09/06/2021 by the Motegaon Grampanchayat. The application is thereafter filed on 07/01/2021. In the circumstances stated therein, the delay, if any, is said to be bona fide and sought to be condoned.

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3. On hearing the learned Counsel for the applicants, the application deserves to be allowed in terms of prayer clause (A) and is accordingly allowed. The necessary amendment be carried out within a period of one week from today.

Upon the amendment being carried out, issue notice to the newly added respondents, making it returnable after four weeks.

The petitioners shall also take steps to serve the other un-served respondents as is notified in the office note.

(SMT. BHARATI DANGRE, J.)

sjk