

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.11451 OF 2022
IN SA/255/2015 WITH CA/6764/2015 IN SA/255/2015

SUJATA GOVINDRAO CHATRE
VERSUS
GOVINDRAO MAROTI CHATRE AND OTHERS

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Advocate for Applicant : Mr. P.V. Gole
h/f. Mr. Gunale V.D.
Advocate for Respondent No. 4 -a to d : Mr. R.B. Wankhede
h/f. Mr. S.P. Urgunde

CORAM : RAJESH S. PATIL, J.

DATE : 11th October, 2022.

ORDER :-

1] This civil application is filed for bringing on record LR's of deceased respondent No.4 alongwith a prayer for condoning the delay and setting aside abatement.

2] Learned Advocate Mr. Wankhede h/f. learned Advocate Mr. Urgunde, appearing for proposed LR's of respondent No.4 opposes the application and prays that cost may be imposed for allowing this civil application.

3] Even though the respondent no.4 died on 11th June, 2021 and the present application is filed on 2.7.2022, the applicant has prayed to condone the delay of 296 days.

4] The Honourable Supreme Court in a Suo-Motu Writ Petition No. 3 of 2020 has held that period from 15th March, 2020 to 28th February, 2022 be excluded for the purpose of limitation under any law

in respect of filing of judicial proceeding. Therefore, the delay is hardly of 35 days. Hence, taking into consideration the Supreme Court Orders and in view of the statements made in the present application, the civil application is allowed in terms of prayer clauses (A)(B) and (C).

5] Amendment be carried out on or before 10.11.2022.

6] Place the matter under the caption of “admission” on 11.11.2022.

(RAJESH S. PATIL, J.)

grt/-