

-1-

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

**CIVIL APPLICATION NO.3400 OF 2019
IN FAST/6220/2012**

**RAJARAM BAPURAO SHINDE (DIED) THR LRS PRAKASH
VERSUS
EXECUTIVE ENGINEER, B.M.I.D. AMBAJOGAI UNDER GMIDC
AURANGABAD AND ANR**

...

Advocate for Applicant : Bangar Nilkanth P.
AGP for Respondent No. 2 : Mr. R.V. Dasalkar
Advocate for Respondent No. 1 : Mr. B.R. Surwase

CORAM : RAJESH S. PATIL, J.

DATED : 07 OCTOBER, 2022

PER COURT:-

1. Civil Application No. 3400/2019 is filed for bringing legal heirs of applicant No. 1 – Rajaram.
2. There is delay in filing this application. Learned counsel for respondent opposes the application.
3. The Division Bench of this Hon'ble High 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 of bringing legal heirs on record, relying on Supreme Court judgment 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 No. 3400/2019 is allowed in terms of prayer clause 'B' and 'C'. The Civil Application stands disposed off. Abetment stands set aside.

5. Amendment to be carried out within a period of six (06) weeks from today.

[RAJESH S. PATIL, J.]