

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

916 CIVIL APPLICATION NO.9018 OF 2016
IN SA/103/1996 WITH CA/9019/2016 IN CP/497/2012

KASHINATH NATHUJI SONAWANE DIED
LRS SMT. KASTURABAI AND ORS
VERSUS
ASARAM PANDUJI BHADAKE (L.RS.) KALABAI and OTHERS

...
Advocate for Applicants : Mr. S. N. Boiwar h/f Mr. V. B. Garud
Advocate for respondent no. 2 : Mr. D. K. Thote

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CORAM : RAJESH S. PATIL, J.
DATE : NOVEMBER 22, 2022

PER COURT : -

1. This application is filed for bringing on record legal heirs of appellant no. 1B.
2. There is some delay in filing this application. The counsel for respondent opposes the application.
3. 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.
4. Relying upon the above judgments and for the reasons stated in the application, same is allowed in terms of prayer clause "B", "C" and "D". Abatement stands set aside.

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5. The Civil Application stands disposed off.
6. Amendment to be carried out within a period of two (02) weeks from today.
7. In case the amendment is not carried out within the prescribed period, this application shall stand dismissed automatically without further reference to the Court.

[RAJESH S. PATIL]
JUDGE