

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

945 CIVIL APPLICATION NO.13619 OF 2013
IN SA/790/2005 WITH CA/13620/2013 IN SA/790/2005 WITH
CA/13621/2013 IN SA/790/2005

PURUSHOTTAM DIGAMBARRAO ARADHYE LRS KESHIBAI AND
OTHERS
VERSUS
VISHWANATH RACHAPPA SALGARE LRS SUBHASH@BABU AND
OTHERS

...

Advocate for Applicants : Ms Yashashree S. Mulay (Pawar)
h/f Mr. M. M. Patil (Beedkar)

Advocate for Respondents nos. 1-b to 1-e

...

CORAM : RAJESH S. PATIL, J.

DATE : NOVEMBER 11, 2022

PER COURT : -

1. Civil Application No. 13619/2013 is filed for bringing on record legal heirs of deceased - respondent no. 1.

2. There is a delay of 2171 days in filing this application. Mr. Santosh B. Gastgar for respondents 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
sgp

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. 13619 of 2013 is allowed in terms of prayer clause “B” and “C”. Abatement stands set aside.

5. The Civil Application stands disposed off.

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

CIVIL APPLICATION NO. 13620 OF 2013 :

1. Civil Application No. 13620/2013 is filed for bringing on record legal heirs of applicant no. 7 – Prabhakar Raghvendra Aradhye.

2. There is a delay of 795 days in filing this application. Mr. Santosh B. Gastgar for respondents 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
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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, Civil Application No. 13620 of 2013 is allowed in terms of prayer clause "B" and "C". Abatement stands set aside.

5. The Civil Application stands disposed off.

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

CIVIL APPLICATION NO. 13621 OF 2013 :

1. Civil Application No. 13621/2013 is filed for bringing on record legal heirs of applicant no. 5 – Bhaskar Kishanrao Aradhye.

2. There is a delay of 1445 days in filing this application. Mr. Santosh B. Gastgar for respondents opposes the application.

3. The Division Bench of this Court in **Keshao Kawadu Maral and another Versus State of Maharashtra**, reported in 2005 (supp.)
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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, Civil Application No. 13621 of 2013 is allowed in terms of prayer clause "B" and "C". Abatement stands set aside.

5. The Civil Application stands disposed off.

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

[RAJESH S. PATIL]
JUDGE