

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****CIVIL APPLICATION NO.11748 OF 2022****IN SA/86/2019****MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO. LTD THRO.****EXECUTIVE ENGINEER,BEED****VERSUS****CHINTAMAN EKNATHRAO SHINDE DIED THROUGH LRS. VARSH SANJEEV****PADE AND OTHER**

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Advocate for Applicant : Mr. A. R. Lukhe h/f Mr. Shelke Avishkar S.

Advocate for Respondent No.1 & 2 : Mr. R. P. Bhumkar

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CORAM : BHARAT P. DESHPANDE, J.**DATE : 18th AUGUST 2022.****Per Court :**

1. This is an application for bringing legal heirs of Respondent No.1, who expired on 29.09.2020.
2. It is the contention of learned Counsel for the Applicant that there is a delay of 576 days in filing the application.
3. It is the matter of record that Respondent No.2 is widow of Respondent No.1 and therefore she is one of the legal heirs already on

record. Other legal heirs mentioned as Respondent No.1A to 1D are Daughters and Sons of Respondent No.1.

4. Since Respondent No.2 is already on record and representing the estate on record, the application which filed before this Court has to be considered as within time. Similarly the Respondent No.1 died during the lockdown period and therefore period of limitation was suspended by the Hon'ble Apex Court till 28.02.2022. Considering these aspects, there is no delay in filing the application. The application needs to be allowed. Hence the following order.

ORDER

- (i) The Civil Application stands allowed.
- (ii) Respondent Nos.1-A to 1-D are permitted to be brought on record.
- (iii) Cause title of the Second Appeal shall be amended within a period of 14 days.
- (iv) Issue notice to the added Respondents/LRs of Respondent No.1 in the Second Appeal, returnable on 19.09.2022.

[BHARAT P. DESHPANDE, J.]

Najeeb.