

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

979 CIVIL APPLICATION NO.7259 OF 2020
IN FA/911/2014

GMIDC AURANGABAD THROUGH ITS EXECUTIVE ENGINEER
MINOR IRRIGATION DIVN AMBAJOGAI DIST BEED
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Surwase B. R.
AGP for Respondent/State : Mr. A. M. Phule
Advocate for respondent no. 2 : Mr. Bangar

...

CORAM : RAJESH S. PATIL, J.
DATE : OCTOBER 07, 2022

PER COURT : -

1. Civil Application No. 7259/2020 is filed for bringing legal heirs of respondent no. 2 – Rukhminibai, on record.
2. There is a delay of 1396 days in filing this application. Learned AGP for respondent/State 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 SP Chauhan*

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. 7259/2020 is allowed in terms of prayer clause 'B', subject to the payment of costs of Rs. 500/- to be paid by the applicant with the High Court Legal Services, Sub-committee, Aurangabad.

5. The Civil Application stands disposed off.

6. Abatement, if any, stands set aside.

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

[RAJESH S. PATIL]
JUDGE