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

**CIVIL APPLICATION NO.9828 OF 2017
IN FA/1699/2009**

**ASHOK P. (DIED) THR LRS CHATRAADATT@CHARUDATT
ASHOK TAYADE THR ITS N.G. SUBHADRA K TAYADE
VERSUS
THE NEW INDIA ASSURANCE CO.LTD MUMBAI THROUGH ITS
MANAGER AND ORS.**

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Advocate for Applicant : Mr. Patil Vijay Y.
Advocate for Respondent No. 1 : Mr. M.M. Ambhore
Advocate for Respondent No. 3 : Mr. Mahesh Deshmukh

CORAM : RAJESH S. PATIL, J.

DATED : 07 OCTOBER, 2022

PER COURT:-

1. Civil Application No. 9828/2017 is filed for bringing legal heirs of applicant on record.
2. There is a delay of 411 days 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. 9828/2017 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.]