

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

912 CIVIL APPLICATION NO.13315 OF 2012
IN SA/420/1998

BABASHETTY ANNARAO SANGALE
VERSUS
SHANTAPPA PRATAPPA TONDARE THR LRS GANGADHAR S TONDARE
AND ORS

...
Advocate for Applicant : Mr.H.B. Nandagavale h/f V.G. Sakolkar
Advocate for Respondent no. 3 : Mr. S. V. Chillarge

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

PER COURT : -

1. This application is filed for bringing on record legal heirs of respondent no. 1 – Shantappa. There is some delay in filing this application.
2. The counsel for respondent no.3 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" and "C". Abatement stands set aside.

sgp

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