

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

936 CIVIL APPLICATION NO.9964 OF 2012
IN SA/542/2003

HANUMANT BANDOPANT SHINDE AND ORS
VERSUS
SHAMRAO HAMIBIRRAO SHINDE DIED THR LRS RAMESH
SHYAMRAO SHINDE AND ORS

...
Advocate for Applicants : Mr. S. L. Bhapkar
...

CORAM : RAJESH S. PATIL, J.
DATE : NOVEMBER 11, 2022

PER COURT : -

1. Civil Application No. 9964/2012 is filed for bringing on record legal heirs of respondent nos. 1D and 5.
2. There is a delay of 152 days in filing this application. Advocate Bedre has filed appearance for legal heirs of respondent no. 1D. However, Advocate Bedre is absent today. Legal heirs of respondent no. 5 is served as per office remark.
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.
sgp

4. Relying upon the above judgments and for the reasons stated in the application, Civil Application No. 9964 of 2012 is allowed in terms of prayer clause “B”. Delay is condoned. Abatement, if any, stands set aside.

5. The Civil Application stands disposed off.

6. Amendment to be carried out within a period of three (03) weeks from today.

[RAJESH S. PATIL]
JUDGE