

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

**CIVIL APPLICATION NO. 13064 OF 2019
IN
SA/908/2009**

**MUNIR HAJI ABDUL KARIM MANSURI DIED
LRS MOHD. YUSUF AND ORS
VERSUS
KAMRODDIN SHAMSHODDIN MALAK DIED
SHAIKH YUSUF DIED**

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Advocate for Applicants : Mr. Vakil Afzal Husain M.

CORAM : RAJESH S. PATIL, J.

DATE : 21th DECEMBER, 2022

PER COURT :

1. Learned Advocate for the applicants prays that in prayer clause 'C', it has been typed as respondent Nos. 1(A) to 1(E). He states that the same should be replaced with respondent Nos. 1(A) to 1(H). Request as made is granted. Amendment to be carried out forthwith.

2. This Civil Application is filed to bring on record legal heirs of deceased respondent Nos. 1 and 2.

3. Learned Advocate Mr. A.V. Hon had sought time to take instructions from his client whether he will be appearing for the proposed legal heirs. As per the note on the board, the service of the proposed legal heirs is completed.

4. 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.

5. In view of the submissions made in the Civil Application and in view of the ratio laid down in the above judgments, Civil Application is allowed in terms of prayer clause 'B', 'C' and 'D', subject to payment of costs of Rs. 2,000/- to the respondents.

6. Civil Application is accordingly, disposed off.

7. Amendment to be carried out within a period of four weeks from today.

(RAJESH S. PATIL, J.)