

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.12257 OF 2022
IN CRA/137/2011

QURESHI MUSTAFA ABDUL WAHAB AND ORS
VERSUS
SHAIKH MAZHAR MAINUDDIN AND ORS

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Advocate for Applicants : Mr. Dhorde Vikram R
Advocate for Respondent No. 1 : Mrs. Kazi Fatema
Advocate for Respondent Nos. 5-A to 5-G, 6 & 7 : Mr. J.H. Deshmukh
Advocate for Respondent No. 9 : Mr. Y.B. Pathan

CORAM : RAJESH S. PATIL, J.

DATE : 10th November, 2022.

ORDER :-

1. Civil application No. 12257 of 2022 is filed for bringing on record LRs of deceased respondent No.5. Mr. Deshmukh, Advocate, who earlier used to appear for deceased respondent No.5 states that he will file vakalatnama for the proposed LRs of respondent No.5 i.e. respondent No.5A to 5F.
2. There is a delay of 84 days in filing the present application.
3. The Division Bench of this Hon'ble High Court in **Keshao Kawadu Maral and another Versus State of Maharashtra**, reported in 2005 (sup.) 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.12257/2022 is allowed in terms of prayer clause (A) and (B). Abatement stands set aside.
5. Amendment to be carried out within two weeks.
6. Civil application is disposed of.

(RAJESH S. PATIL, J.)

grt/-