

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

CIVIL APPLICATION NO. 10949 OF 2018
IN SA/284/1996

RAMCHANDRA TOPAJI SARWADE (DIED) THR LRS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS.

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Advocate for Applicants : Mr. A.M. Hajare
AGP for Respondent Nos. 1 & 2 : Mr. A.A. Jagatkar

CORAM : RAJESH S. PATIL, J.

DATE : 22nd NOVEMBER, 2022

PER COURT :

1. Civil Application is filed for bringing on record legal heirs of applicant No. 1 – Maroti S/o. Ramchandra Sarwade.

2. There is a delay of 2369 days in filing this application. Learned Advocate for respondent 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, Civil Application is allowed in terms of prayer clause 'B' and 'C'. Abatement, if any, stands set aside.

5. The Civil Application stands disposed off.

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

(RAJESH S. PATIL, J.)