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

**CIVIL APPLICATION NO.3968 OF 2017
IN FA/3410/2015**

**SUMANBAI BHANUDAS LOMATE EXPIRED
THR LRS ANANT AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

...

AGP for Respondent No. 1 : Mr. S.D. Ghayal

CORAM : RAJESH S. PATIL, J.

DATED : 07 OCTOBER, 2022

PER COURT:-

1. Civil Application No. 3968/2017 is filed for bringing legal heirs of applicant nos. 1 and 2 on record.
2. Civil application filed for bringing legal heirs of applicant No. 1 on record is within time. However, so far as applicant No. 2 is concerned, there is a delay of 359 days in filing the application. Learned counsel for respondent opposes the application.
3. The Division Bench of this Hon'ble High 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 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. 3968/2017 is allowed in terms of prayer clause 'B' and 'C'. The Civil Application stands disposed off. Abetment stands set aside.

5. Amendment to be carried out within a period of six (06) weeks from today.

[RAJESH S. PATIL, J.]