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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

909 CIVIL APPLICATION NO.10538 OF 2021
IN
SECOND APPEAL NO.126 OF 2013

GAHININATH RAGHUNATH GAIKWAD AND ORS
VERSUS
GOPAL KRISHNAJI KULKARNI DIED THR. LRs RUPALI GOPALRAO
KULKARNI AND ORS

...
Mr. A. B. Hawale, Advocate for Applicants
Mr. Mukul S. Kulkarni, Advocate for Respondent Nos.1 to 3 in S.A.

...
WITH

SECOND APPEAL NO.126 OF 2013

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CORAM : MANGESH S. PATIL, J.

DATE : 01-02-2022

PER COURT :

. This is an application for bringing on record the legal heirs of appellant no.3 and respondent no.1.

2. Since it is mentioned that respondent nos.2 and 3 are the only heirs of respondent no.1, the application to that extent is allowed and necessary amendment is allowed to be carried out.

3. So far as the other request for bringing on record the legal heirs of appellant no.3 with a prayer to condone the delay is

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concerned, the other side has not filed any reply. Apparently, the cause of action has survived to the surviving applicants / appellants, and consequently bringing on record the legal heirs of the appellant no.3 is a mere formality. Even that request is accepted. The application is allowed even to that extent and necessary amendment to be carried out within two weeks. The delay is condoned.

4. The Civil Application is disposed of accordingly.

(MANGESH S. PATIL)
JUDGE

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