

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

CIVIL APPLICATION NO.12068 OF 2021
IN SA/250/2001

ANANDA GANGARAM KARHALE DECEASED THROUH LRS.
SUNIL ANANDRAO KARHALE AND ANOTHER
VERSUS
TUKARAM SITARAM KARHALE AND ORS

...

Advocate for Applicants : Mr. Harsha R. Lomate
h/f. Mr. Salunke V.D.
Advocate for Respondent No. 1 : Mr. A.D. Chapule
h/f. Mr. S.S. Londhe

CORAM : RAJESH S. PATIL, J.

DATE : 16TH NOVEMBER, 2022

PER COURT :

1. Civil Application is filed for bringing on record legal heirs of appellants with a prayer for condoning the delay and for setting aside abatement order dated 13.11.2019.
2. There is a delay of 3967 days in filing this application.
The counsel 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 clauses 'A', 'B' and 'C'. Abatement stands set aside.

5. The Civil Application stands disposed off.

6. Amendment to be carried out within a period of three (03) weeks from today.

(**RAJESH S. PATIL, J.)**