

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

973 CIVIL APPLICATION NO.15161 OF 2015
IN SA/341/2005

RASULSAB ABDULSAB NAIKWADE DIED LRS MUKAM AND OTHERS
VERSUS
MAQBUL ABDULSAB NAIKWADE DIED LRS MUNEER AND OTHERS

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Advocate for Applicants : Mr. M. L. Dharashive
Advocate for respondent nos. 1A to 1F : Mr. S. S. Manale

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CORAM : RAJESH S. PATIL, J.
DATE : NOVEMBER 11, 2022

PER COURT : -

1. This application is filed for bringing on record legal heirs of sole appellant.
2. There is a delay of 119 days in preferring the instant application.
3. Counsel for the respondent opposes the application vehemently.
4. 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.

5. Relying upon the above judgments and for the reasons stated in the application, same is allowed in terms of prayer clause “B” and “C”. Abatement stands set aside.

6. The Civil Application stands disposed off.

7. Amendment to be carried out within a period of two (02) weeks from today.

[RAJESH S. PATIL]
JUDGE