

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

980 CIVIL APPLICATION NO.5640 OF 2016
IN SA/1736/2005

KACHRU GANPATRAO CHAVAN LRS DEORAO AND OTHERS
VERSUS
GANGUBAI GANPAT CHAVAN and ORS

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Advocate for Applicants : Mr. A. P. Nahar h/f Mr. Anand P. Bhandari
Advocate for respondent nos. 2 to 5 : Mr. P. P. Patni h/f Mr. A. D. Kasliwal

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

PER COURT : -

1. This civil application is filed for bringing on record legal heirs of applicant no. 1 – Kachru Chavan.

2. There is a delay of 247 days in filing this application. Counsel for respondents vehemently 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.

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4. 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.

5. The Civil Application stands disposed off.

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

[RAJESH S. PATIL]
JUDGE