

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 15962 OF 2022
IN SECOND APPEAL NO. 568 OF 2018

ASARAM BABURAO MORE DIED THR LRS SHIVAJI ASARAM MORE
AND OTHERS

VERSUS

SAMPATRAO BAPURAO MORE DECEASED THROUGH LRS
SUSHILABAI AND OTHERS

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Advocate for Applicants : Mr. S.K. Chavan

Advocate for Respondent Nos.1, 2A & 2B : Mr. M.M. Patil-Beedkar

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CORAM : RAJESH S. PATIL, J.
DATE : 5th December, 2022

PER COURT :

1. This Civil Application is filed for setting aside the abatement order and for bringing on record legal heirs of deceased appellant – Asaram Baburao More. There is delay in filing this application.
2. Learned Counsel for respondent Nos.1, 2A and 2B does not oppose this Civil 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 'B' and 'C'.

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]
JUDGE