

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

CIVIL APPLICATION NO.16229 OF 2022
IN SA/1758/2005

SHAIKH ISMAIL SK AHMED KARAGIR DIED LRS.
FATEMAHABISHEIKH ISMAIL AND OTHERS
VERSUS
SK MAHBOOB SK AHMED KARAGIR THR LRS CHOTIBEE
AND OTHERS

...

Advocate for Applicants : Mr. Deshbhushan P. Madkar
h/f. Mr. Joshi Rahul G.

Advocate for Respondent Nos. 1a, 1e, 2 to 4 : Mr. P.F. Patni

CORAM : RAJESH S. PATIL, J.

DATE : 06th DECEMBER, 2022

PER COURT :

1. This Civil Application is filed for bringing on record the legal heirs of sole appellant.

2. There is a delay in filing the Civil Application. Learned Advocate for the respondents objects to this application, however, he has not filed any reply.

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'. Abatement, if any, stands set aside.

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

6. The Civil Application stands disposed off.

(RAJESH S. PATIL, J.)