

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 774 OF 2020
IN
SECOND APPEAL NO. 40 OF 2017

RAMESH BABULAL CHAUDHARI AND ANOTHER
VERSUS
RAMESH SHIVRAM MARATHE THROUGH
LRS AND OTHERS.

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Mr. Amit Yadkikar, Advocate for applicants
Mr. Mukul Kulkarni, Advocate for respondent No.4.

CORAM : RAJESH S. PATIL, J.

DATE : 19th October, 2022.

ORDER :-

Civil Application No. 774 of 2020 is filed by the appellant to bring on record LRs of deceased respondent no.1. There is a delay in filing the civil application.

The Division Bench of this Hon'ble High 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 of bringing legal heirs on record, relying on Supreme Court judgment 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**.

In view of the judgment of the Supreme Court cited supra and the facts stated in the civil application, the civil application is allowed in terms of prayer clause (B) and same is disposed of.

Amendment to be carried out within a period of five weeks.

(RAJESH S. PATIL, J.)

grt/-