

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

940 CIVIL APPLICATION NO.965 OF 2022
IN SA/762/2017

ZUMBAR BHAGUJI KARALE DECEASED THROUGH LRS. VIJAY
RAGHUNATH KARALE AND ORS.
VERSUS
BABU VITTUJI BHINGARDIVE LRS RAGHUNATH BABU
BHINGARDIVE AND OTHERS

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Advocate for Applicants : Mr. N.C. Garud
Advocate for Respondents 1-A, 2A to C : Mr. M. B. Sandanshiv
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CORAM : BHARAT P. DESHPANDE, J.
DATED : 28th JULY 2022

PER COURT:-

1. This is an application filed for bringing legal representatives of deceased applicant No.1 i.e. original appellant No.1, who expired on 30.5.2021 at Ahmednagar, on record.

2. The reason disclosed for condonation of delay is that the said appellant expired during Covid-19 pandemic situation and that other appellants failed to inform about it to the advocate for the appellants. The reasons disclosed in paragraph Nos. 3 and 4 in the present application are sufficient to condone the delay, to set aside the abatement, if any, and to allow the application. Learned counsel for the applicants has already filed Vaklatnama on behalf of these legal representatives. Hence, the following order:-

O R D E R

- I. Civil application stands allowed.
- II. The delay stands condoned.
- III. Abatement, if any, stands set aside.
- IV. The applicant is permitted to bring on record the legal heirs of deceased applicant No.1/appellant No.1 on record.
- V. Amendment to be carried out in the clause title of second appeal as well as in civil application for stay within a period of 14 days from today.
- VI. The application stands disposed of.

(BHARAT P. DESHPANDE, J.)

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