

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 17200 OF 2022
IN SECOND APPEAL NO. 569 OF 2021

KARBHARI TUKARAM KHARADE DIED THR LRS ASHOK KARBHARI
BHOSALE AND OTHERS

VERSUS

SHAKUNTALABAI VAJJINATH TAMBE AND OTHERS

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Advocate for Applicants : Mr. K.R. Joshi

Advocate for Respondent No.1 : Mr. D.R. Deshmukh

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CORAM : RAJESH S. PATIL, J.

DATE : 21st December, 2022

PER COURT :

1. This Civil Application is filed for bringing on record legal heirs of appellant No.1 on record. There is delay of 523 days in filing this application.
2. Learned Counsel for respondent No.1 opposes this 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. Amendment to be carried out within a period of three (03) weeks from today.

**[RAJESH S. PATIL]
JUDGE**