

-1-

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

**CIVIL APPLICATION NO.1372 OF 2019
IN FA/4295/2016**

**NAMDEO AMBADAS NAIKNAWARE (DIED) THR LRS
JAGANNATH AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

...

Advocate for Applicants : Mr. Naiknavare Ramesh V.
AGP for Respondent No. 1 : Mr. S.D. Ghayal
Advocate for Respondent No. 2 : Mr. B.R. Surwase

CORAM : RAJESH S. PATIL, J.

DATED : 07 OCTOBER, 2022

PER COURT:-

1. Civil Application No. 1372/2019 is filed for bringing legal heirs of applicant/original claimant No. 4 – Gyandeo on record.
2. There is delay in filing this application. Learned counsel for respondent opposes the application.
3. 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.

4. Relying upon the above judgments and for the reasons stated in the application, civil application No. 1372/2019 is allowed in terms of prayer clause 'B'. The Civil Application stands disposed off. Abatement stands set aside.

5. Amendment to be carried out within a period of six (06) weeks from today.

[RAJESH S. PATIL, J.]