

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 15900 OF 2022
IN
SA/942/2009

MUNIR HAJI ABDUL KARIM MANSURI DIED
LRS MOHD. YUSUF AND ORS
VERSUS
KAMRODDIN SHAMSHODDIN MALAK DIED
SHAIKH YUSUF DIED

...

Advocate for Applicants : Mr. Vakil Afzal Husain M.

CORAM : RAJESH S. PATIL, J.

DATE : 21th DECEMBER, 2022

PER COURT :

1. This Civil Application is filed to bring on record legal heirs of sole appellant.
2. There is some delay in filing this application.
3. Learned Advocate for the appellant states that in connected Second Appeal No. 942/2009, the legal heirs of appellant are already brought on record.
4. 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.

5. In view of the ratio laid down in the above judgments and when the legal heirs of appellant are already brought on record in Second Appeal No. 942/2009, the present Civil Application is allowed in terms of prayer clause 'B' and 'C'.

6. Civil Application is accordingly, disposed off.

7. Amendment to be carried out within a period of three weeks from today.

(RAJESH S. PATIL, J.)