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

CIVIL APPLICATION NO.1133 OF 2017
IN X-OBJST/39051/2016

PANDHARI SHANKAR SURVASE DIED
THR LRS SHIVAJI AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Applicants : Mr. Gunale V.D.
AGP for Respondent No. 1 : Mr. M.M. Nerlikar

CORAM : RAJESH S. PATIL, J.

DATED : 07 OCTOBER, 2022

PER COURT:-

1. Civil Application No. 1133/2017 is filed for bringing legal heirs of applicant 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. 1133/2017 is allowed in terms of prayer clause 'B', subject to payment of costs of Rs. 500/- to be paid by applicants with the High Court Legal Services, Sub-committee, Aurangabad. The Civil Application stands disposed off. Abetment stands set aside.

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

[RAJESH S. PATIL, J.]