

-1-

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

**CIVIL APPLICATION NO.14839 OF 2019
IN FA/2675/2018**

**VITTHALRAO HANMNTRAO PATIL (DIED) THR LRS
DAYANAND AND ORS
VERSUS
STATE OF MAHARASHTRA AND ORS**

...

Advocate for Applicants : Ms. Sakshi Kale
h/f. Mr. Kale Ajeet B.
AGP for Respondent Nos. 1 & 2 : Mr. M.M. Nerlikar
Advocate for Respondent No. 3 : Mr. Anand Chare

CORAM : RAJESH S. PATIL, J.

DATED : 07 OCTOBER, 2022

PER COURT:-

1. Civil Application No. 14839/2019 is filed for bringing legal heirs of original claimant on record.
2. There is a delay of 2417 days 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. 14839/2019 is allowed in terms of prayer clause 'B' and 'C'. 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.]