

Shailaja

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.945 OF 2017
IN
SECOND APPEAL NO.609 OF 2003**

Dnyandeo Vithu Khot] Applicant

IN THE MATTER BETWEEN:

Dnyandeo Vithu Khot] Appellant

Vs.

Ramrao Bhau Yevale (since deceased)]

Hanmant Ramrao Yevale and others.] Respondents

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Ms. Rui Danawala i/b Mr. Umesh Mankapure, for Applicant.

Mr. Nikhil N. Pawar, for Respondents No.2A to 2D.

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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 1st JULY, 2022.

P.C.

1. This is an application for bringing legal representatives of original respondent No.2 - Madhukar Govind Khot who has died on 25th January, 2016. Death certificate is annexed at Exhibit A -7. Delay of about one year and 72 days has occurred in filing the application.

2. For the reasons stated in the application, sufficient grounds have been made out to condone the delay. As such, delay is condoned. Application is allowed.

3. The appellant is permitted to implead legal representatives of deceased respondent No.2 - Madhukar Govind Khot on record. Necessary amendment shall be carried out within a week.

4. Mr. Pawar submits that he has already filed *Vakalatnama* on behalf of proposed legal representatives of deceased Madhukar Govind Khot viz. respondents No.2(a) to 2 (d). As such, service of notice in respect of proposed legal representatives is dispensed with.

5. Application stands disposed of. No order as to costs.

[PRITHVIRAJ K. CHAVAN, J.]