

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1050 OF 2022
IN
SECOND APPEAL NO.841 OF 2004**

Mahadeo Sadhu Warekar since
deceased by LRs.

1A-Baburao Mahadeo Warekar
and Ors.

...Appellants/Applicants

Versus

Ramchandra Tuka Khot deceased
by his legal heirs -
1A Smt. Abhitai Ramchandra Khot
and Ors.

...Respondents

....

Mr. Tejpal Ingale for the Appellants.

Mr. Bhushan Walimbe for Respondent Nos.1A to 1C.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : 2nd MARCH, 2022.

P.C.:-

1. By this application, the Applicants have sought to condone the delay of 4 years and 211 days to bring on record the legal representatives of the deceased Appellant No.4.

2. Learned counsel for the Applicants states that parties have in principle settled the matter. It is stated that while the settlement talks were in progress, it came to their notice that the Appellant No.4 had

expired and the application for bringing on record legal representatives of Appellant No.4 was not filed.

3. Learned counsel for Respondent Nos.1A to 1C has no objection for condonation of delay and for bringing on record legal representatives of Appellant No.4. In view of the said statement and considering the fact that the parties have arrived at settlement, the delay is condoned. Legal representatives of the Appellant No.4 are ordered to be brought on record. Amendment to be carried out within a period of one week.

4. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)

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