

Uday S. Jagtap

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

**INTERIM APPLICATION NO. 631 OF 2019
IN
SECOND APPEAL NO.310 OF 1995**

Bhagwan Bajirao Yadav,
since deceased through LRs .. Applicants
In the matter between
Sou. Dhondubai Bhiku Sawant and Ors. .. Appellants
Vs.
Smt. Anubai w/o Tatoba Pawar,
since deceased through LRs. & Ors. .. Respondents

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Ms. Akanksha Helaskar i/b Mr. A.M. Kulkarni for the Applicants /
Appellants
Mr. G.B. Walawalkar i/b S.P. Thorat for respondent no.2
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CORAM : PRITHVIRAJ K. CHAVAN, J.

DATED : 5th JULY, 2022.

P.C.

1. This is an application for bringing the legal representatives of deceased Appellant No.3 – Bhagwan Bajirao Yadav on record, who is said to have died on 26th May, 2015. There is a delay of about 4 years and 26 days in filing the application.
2. Heard Ms. Helaskar, learned Counsel for the applicants.
3. The learned Counsel has invited my attention to paragraph 6

of the application, wherein it has been stated that applicants being the villagers and agriculturists were unaware of legal requirement of bringing legal heirs as legal representatives of the deceased on record and, therefore, they had been to Counsel in the month of September, 2019. They came to know that the legal representatives of the deceased are required to be brought on record. This, according to me, is a satisfactory reason for the delay caused in bringing the legal representatives on record.

4. In view of the said reason, the delay is condoned. The applicants are permitted to amend the Memo of Appeal within two weeks from today by bringing the proposed legal representatives on record as stated on page no.2 of the application. After carrying out necessary amendment, amended copy be supplied to the Counsel for the respondents.
5. Application stands disposed of. No order as to costs.

(PRITHVIRAJ K. CHAVAN, J.)