

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

**45 CIVIL APPLICATION NO.2237 OF 2023
IN WP/5044/2001 WITH WP/5044/2001**

**DHONDIBA NARBA KOLI REKEWAD DECEASED THROUGH LRS
DATTA DHONDIBA REKEWAD DIED AND OTHERS
VERSUS
KESHAVGIR GURU MOHANGIR AND ANOTHER**

Adv. Prashanti S. Tambat h/f Mr. G. N. Chincholkar, Advocate for
the applicant

CORAM : KISHORE C. SANT, J.

DATE : 23rd JUNE, 2023

P. C.

1. This application is moved for bringing legal heirs of respondent No.1-a on record as given in para No. 3 of the application.

2. While filing this application there is delay of 121 days caused in filing the application. In the said application there is also a prayer to set aside the abetment order.

3. Learned advocate for the petitioner submits that he

intimated about the death of respondent No.1-a. However, the respondents did not take steps to bring legal heirs on record. There is sufficient cause shown in the application for condonation of delay.

4. However, considering the fact that the petition is pending since 2001 and it is necessary to serve legal heirs of respondent No.1-a in the original petition, civil application stands allowed. Delay stands condoned

5. The order of abetment is set aside.

6. The petitioners to carryout the amendment within two weeks.

[KISHORE C. SANT, J.]

VishalK/45ca2237.23