



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.2949 OF 2022
IN
SECOND APPEAL NO. 236 OF 1987

NAGAPPA HANMANTAPPA AURADE DECEASED THROUGH HIS LRS
LAXMIBAI KASHINATH BIRADAR AND ORS
VERSUS
PRAAYAGABAI KRISHNAPPA SUTAR DIED THROUGH HER LRS
SUBHABAI SANTRAM SUTAR AND ORS

...
Advocate for Applicants : Mr. P. S. Shendurnikar

....
CORAM : S. G. MEHARE, J.
DATE : 08.12.2023

PER COURT :

1. Heard the learned counsel for the applicants. Respondent No.1-E-2 to Respondent No.1-E-5 have been served but nobody appeared for them. Hence, proceed ex-parte against them.
2. Nobody opposed the application. It is an application for condonation of delay in bringing the legal heirs. The delay is huge but it appears that the reasons for delay are sound. No harm would be caused to the proposed legal heirs of deceased respondent No.1/E. Hence, taking liberal view the following order is passed.

ORDER

- (i) Civil Application is allowed.

- (ii) The delay in bringing the legal heirs on record is condoned.
 - (iii) The appellant to carry out necessary amendment to bring the legal heirs of respondent No.1/E as proposed on record within six weeks.
- 3. The Civil Application stands disposed of.
 - 4. List the Second Appeal after six weeks.

(S. G. MEHARE)
JUDGE

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