

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

**CIVIL APPLICATION NO.3499 OF 2023
IN SA/886/2018**

**KUSUM KERU SALVE
VERSUS
MAHENDRA LAXMAN KAMBLE DIED LRS. KAMAL LAXMAN
KAMBALEAND ORS.**

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Mr. R. S. Kasar, Advocate for the Applicant.

Mr. D. G. Nagode, Advocate for Respondent.

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 20th JULY, 2023.

PER COURT:-

1. By this application, the applicant seeks permission to bring on record the legal representatives of respondent no.1- Mahendra Laxman Kamble, who died on 16.09.2020. There is delay of 785 days in filing this application.

2. The learned Advocate appearing for the applicant submits that since the death of respondent was not known to the applicant so also particulars of respondent was not known to him, the delay was caused. He further submits that even the death was occurred during the pandemic period. Therefore, the period of limitation would also be excluded.

3. Mr. Nagode, learned Advocate appearing for the proposed legal representatives of the respondent opposes the prayer in the application.

4. After considering the reasons stated in paragraph nos.3 and 4, the sufficient cause is made out to condone the delay so also to permit the applicant to bring on record the legal representatives of the respondent. Hence, the following order:-

ORDER

a. Civil Application is allowed in terms of prayer Clauses 'A' and 'B'.

b. The applicant to carry out the amendment within a period of 14 days from today.

5. Civil Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE