

SPChauhan

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

CIVIL APPLICATION NO. 5241 OF 2009
IN
SECOND APPEAL 362 OF 1995

Sukhdeo Sakharam Warpe Died
LRs Smt. Kausabai Sukhdeo Warpe and others ... Applicants

Versus

Karbhari Patilba Warpe Died
LRs Sitaram Karbhari Warpe and others ... Respondents

....
Mr. L.V. Sangit – Advocate for Applicants

....
CORAM : GAURI GODSE, J.
DATE : 09th January, 2023

PER COURT :

1. This application is for deleting name of applicant no. 1-A as she has expired and her heirs and legal representatives are already on record in different capacity.

2. The application also prays for condonation of delay and for leave to bring on record names of heirs and legal representatives of deceased applicant no. 3.

3. Notice was issued in the application. Office remark shows that respondents was served. Today, none appears for the respondents.

There is no reply filed for passing an application.

4. For the reasons stated in the application, application is allowed in terms of prayer clause 'a', 'b' and 'c', which read thus :

“a. That, the applicant no. 1-A Smt. Kausabai Sukhdeo Warpe be deleted.

b. That, the applicant no. 3-A to 3-F be brought on record as the legal heirs and representatives of the deceased applicant no. 3 Eknath Sukhdeo Warpe and the record and proceedings be amended accordingly.

c. That, delay of 1095 days approximately in filing the present Civil Application for bringing LR's of deceased applicant no. 3 on record be condoned.”

5. Amendment be carried out within a period of two weeks from today.

6. List this Second Appeal for final hearing as per its turn.

**[GAURI GODSE]
JUDGE**