

Pooja K.

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

CIVIL APPLICATION NO. 3311 OF 2010  
IN  
SECOND APPEAL NO. 195 OF 2005

|                                  |                 |
|----------------------------------|-----------------|
| Digambar Vinayak Kulkarni        | ... Applicant   |
| <i>Versus</i>                    |                 |
| Babsaheb Yeshwant Adsul and Ors. | ... Respondents |

...  
Ms. Sawari M. Patil h/f. Mr. Vishal Badhak – Advocate for Applicant

...  
**CORAM : GAURI GODSE, J.**  
**DATE : 10<sup>th</sup> February, 2023**

**PER COURT :**

1. This Civil Application is filed for bringing on record heirs and legal representatives of deceased respondent no.3. There is delay in filing this application.
2. Notice of the application is already served upon heirs and legal representatives of deceased respondent no.3. None appears for them. There is no reply filed for opposing grant of this application.
3. For the reasons stated in the application, delay is condoned and

abatement order is set aside.

4. Civil Application is allowed in terms of prayer clauses 'B' and 'C', which reads as under :

“B. Delay of 327 days in bringing the legal heirs of deceased respondent no.3, namely Chakradhar Yeshwant Adsul;

C. Legal heirs of respondent no.3, namely Chakradhar Yeshwant Adsul as mentioned in paragraph no.2 of this application be kindly brought on record of aforesaid second appeal no.195 of 2005.”

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

**[ GAURI GODSE ]  
JUDGE**