

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

**CIVIL APPLICATION NO.3390 OF 2023
IN SA/563/2019**

**PRABHAKAR NARAYAN MAHAJAN
VERSUS
GAJAN MITHARAM MAHAJAN AND OTHERS**

Mr. Girish Nagori, Advocate for the applicant

**CORAM : R. M. JOSHI, J.
DATE : 14th MARCH, 2023**

PER COURT :-

1. Leave to amend application is sought. Leave is granted. Amendment to be carried out forthwith, substituting Second Appeal No. 563 of 2019 with Civil Application No. 2687 of 2020.

2. Civil Application No. 2687 of 2020 is filed by the original appellant for restoration of Second Appeal No. 563 of 2019. During the pendency of the civil application appellant Prabhakar Narayan Mahajan died on 29/10/2019. Copy of death certificate is annexed to the application. The applicants are the legal representatives of the deceased. Hence no notice is required to be issued to any party.

3. Reasons mentioned in the application for delay shows that the delay is not deliberate. No prejudice is caused to the respondents if

the delay is condoned and LR's of deceased/applicant are brought on record. Hence application stands allowed in terms of prayer clauses 'B' and 'C'. Amendment to be carried out within one week.

(R. M. JOSHI, J.)

ssp