

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 13009 OF 2019 IN
REJECTED CASE NO. 1073 OF 2015 IN
FIRST APPEAL ST. NO. 10956 OF 2015

Vishnu Shripati Dhobale
(Deceased through LRs) & others

Applicants

Versus

The State of Maharashtra

Respondent

Mr. Shubham Jaybhar, Advocate holding for Mr. D. R. Jaybhar,
Advocate for the applicants.
Mr. P. G. Borade, AGP for the State.

CORAM : R. M. JOSHI, J.
DATE : 15th FEBRUARY, 2023.

PER COURT :

1. Learned counsel for the applicants seeks leave to amend the prayer clause as well as title clause of the application.
2. Leave granted. Amendment be carried out forthwith.
3. By order dated 25th August, 2015, registration of the appeal was refused for want of removal of office objections. Against the said order, Civil Application No. 9162/2017 came to be filed by the original appellant i.e. Vishnu Shripati Dhobale and during the

pendency of this application, he died on 1st April, 2017. Death certificate filed on record confirms the date of death of the deceased.

4. Learned counsel for the applicants states that after obtaining succession certificate, instant application for bringing on record legal heirs of deceased appellant is filed.

5. Delay caused in filing the application is not deliberate. Reasons mentioned in the application are satisfactory. In order to meet the ends of justice, delay deserves condonation. Hence, the application is allowed in terms of prayer clauses 'B' and 'C'. Amendment be carried out within two weeks. Civil application stands disposed of.

(R. M. JOSHI)
Judge

dyb