

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9100 OF 2022 IN
FIRST APPEAL NO. 1656 OF 2016

Umakant Baburao Kulkarni
(Deceased through LRs) & others

Applicants

Versus

The State of Maharashtra & others

Respondents

Mr. S. S. Manale, Advocate for the applicants.

Mr. M. M. Nerlikar, AGP for the State.

Mr. G. S. Khaire, Advocate holding for Mr. S. S. Dande, Advocate for respondent No. 3.

CORAM : R. M. JOSHI, J.

DATE : 6th FEBRUARY, 2023.

PER COURT :

1. Original appellant No. 1 died on 20th November, 2019. The death certificate is filed on record. It is contended by learned counsel for the applicants that on account of Covid-19 Pandemic, the application could not be filed in time which has resulted into abatement of the proceeding.

2. The Hon'ble Supreme Court by passing order dated 10th January, 2022 in Misc. Application No. 21/2022 has extended the period of limitation till 28th February, 2022.

3. In view of this, there is no delay in preferring the application for bringing on record legal heirs of deceased appellant on record. Consequently, the order of abatement is recalled. Application stands allowed in terms of prayer clauses 'B' and 'C'. Amendment be carried out within two weeks.

4. Civil application stands disposed of.

(R. M. JOSHI)
Judge

dyb