

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

958 CIVIL APPLICATION NO.4255 OF 2023
IN SA/445/2010 WITH CA/4251/2023 IN SA/453/2010 WITH
CA/9498/2010 IN SA/453/2010 WITH CA/9483/2010 IN SA/445/2010

INDUBAI SHIVRAMKL BADGUJAR DIED LRS. VIKAS AND ORS.
VERSUS
BANSI BALIRAM TAGWALE DECEASED TH LRS SMT KUSUM
BANSITAGWALE AND ORS

...
Advocate for Applicants : Mr. V.R. Dhorde
Advocate for Respondents : Mr. M.S. Shah h/f. Mr. S.P. Brahme
...

CORAM : ARUN R. PEDNEKER, J.
DATED : 08/06/2023

PER COURT :

1. Heard.
2. Civil application Nos. 4255/2023 and 4251/2023 are filed for bringing the legal heirs of sole appellant on record by condoning the delay of 4276 days.
3. The learned counsel for the applicants submits that after the death of the sole appellant, her husband and who is the father of the present applicants was taking care of the proceedings and the applicants were under the bonafide belief that their father had taken necessary steps for bringing on record legal heirs of the sole appellant. It is further case of the applicants that when they attended the office of the advocate, at that time, they came to know that steps are not taken for bringing the legal heirs of appellant on record and the delay is caused for bringing the legal heirs of sole appellant on record.
4. In the interest of justice and so also for the reasons stated in the application, the applications are allowed. Legal heirs of the deceased

appellant be brought on record. The delay is condoned. Necessary amendment be carried out within a period of two weeks from today.

[ARUN R. PEDNEKER J.]

ssc/