

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

CIVIL APPLICATION NO.5941 OF 2023 IN SA 625 OF 1992

SHANKAR SHIVRAM GUNJALE DIED LRS. DURGABAI AND
OTHERS
VERSUS
DHANSING RAOJI RATHOD and OTHERS.

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Advocate for Applicants : Ms. P. V. Langhe h/f V.R. Langhe
Advocate for Respondents : Mr. V.D. Khivesara h/f A.S. Bajaj for
R-1 to 5, Mr. K.R. Yadav h/f S.S. Shinde For R/6.

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CORAM : S. G. CHAPALGAONKAR, J.
Dated: August 02, 2023

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PER COURT :-

1. Leave to amend the application and add prayer for setting aside the abatement. Amendment to be carried out forthwith.
2. By this application, the applicants seeks permission to bring on record L.Rs of appellant no.5 Shivilal Shankar Gunjale, who expired on 30.4.2005. The application is filed with prayer to condone the delay of 6452 days as well as for setting aside the abatement.
3. Today, by order in CA 5940 of 2023 this court permitted to bring on record legal heirs of appellant no.1 Shankar Gunjale. He is legal heir of deceased appellant Shivilal. Therefore, there was no abatement of appeal till the year 2018.

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4. In that view of the matter and for the reasons as given in the order passed in CA No.5940 of 2023 present application is allowed in terms of prayer clause "A-1, B and C". C.A. is disposed off. Amendment to be carried out within a period of two weeks from today.

(S. G. CHAPALGAONKAR, J.)

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