

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

**CIVIL APPLICATION NO.4606 OF 2023
IN
SECOND APPEAL NO.365 OF 2012**

**VENKAT RANGRAO PATIL AND ORS.
VERSUS
RAJESH HARISHCHANDRA PATIL AND ORS.**

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Advocate for the applicants: Mr. P. V. Gole h/f Mr. V. D. Gunale
Advocate for
Advocate for Respondent Nos.1, 2 and 4: Mr. V. P. Golewar
Advocate for Respondent No.8: Mr. G. L. Kedar

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 10.08.2023

PER COURT :

1. By this application, the applicants seek to bring on record the legal heirs of deceased respondent no.7 – Vajinath Shyamrao Thigale, who expired on 06/10/2016 and the applicants also seek to condone the delay of 2277 days caused in filing the present application.
2. Learned Advocate appearing for the applicants submits that respondent no.7 is a purchaser of the property. He was residing at different place and the applicants were not having knowledge of his death or his legal heirs and even no pursis intimating the death of the deceased is filed on behalf of respondent no.7. After getting the knowledge, present application is moved along with death certificate.

3. The notice of this application was issued to proposed legal heirs of respondent no.7 and they are duly served with the notice. However, there is no contents to contest of this application.
4. Considering the uncontraverted reasons stated in Paragraph No.4 of the application, the application deserves to be allowed. Hence, the following order:

ORDER

- a. Civil Application is allowed in terms of prayer clauses - 'B' and 'C'.
- b. Amendment be carried out within a period of 14 days.
- c. Civil application is disposed of accordingly.

**[S. G. CHAPALGAONKAR]
JUDGE**

Sameer