

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

**CIVIL APPLICATION NO. 6791 OF 2023 IN  
FIRST APPEAL NO. 125 OF 2020**

Babu s/o Narsing Upgandale (died)  
through L. Rs.

Applicants

Versus

The State of Maharashtra & others

Respondents

Mr. G. K. Sontakke, advocate for the Applicants  
Mr. B. V. Virdhe, AGP for Respondents No.1 & 2.

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 07<sup>th</sup> June, 2023.**

**PC :**

Heard rival submissions.

The learned Counsel for Respondent No.4-  
acquiring body, despite appearance, remained absent.

The applicants are seeking permission to bring  
themselves on record, being the legal representatives of  
Respondent No.1- sole claimant Babu Narsing Upgandale, in  
the appeal by condoning delay of 3408 days.

Admittedly, Babu Narsing Upgandale died on  
18.02.2015 and considering right to defend, his legal heirs

are to be brought on record. As such, Civil Application stands allowed in terms of prayer clause {B} and {C} The appellant-acquiring body to carry out the amendment within stipulated period.

Civil Application is disposed of.

**(SANDIPKUMAR C. MORE)**  
**JUDGE**

adb