

SGA

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.9271 OF 2016
IN
SECOND APPEAL NO. 84 OF 2011

Dagdu Maruti Ukirde
(Deceased) Through L.Rs.
Mamtabai Dagdu Ukirde
and others

... Applicants

Versus

Rangnath Maruti Ukirde
(Deceased) Through L.Rs.
Chandrabhaga and others

... Respondents

....

Mr. P.V. Langhe - Advocate for the Applicants.
Mr.A.D. Kasliwal - Advocate for respondent no.1.

CORAM : GAURI GODSE, J.

DATE : 9th February, 2023

PER COURT :

1. This civil application is for bringing on record heirs and legal representatives of deceased respondent no.1. There is delay in filing this application. Learned counsel appearing for heirs and legal representatives of respondent no.1 states that there is no satisfactory explanation in the application for condonation of delay and hence opposes the application.

2. Perusal of paragraph no.4 of the application shows that reasons are given for delay that has occurred for filing civil application. Reasons appear to be condonable and satisfactory.
3. For the reasons stated in the application, the delay in filing second appeal is condoned. Abatement is set aside. Application is allowed in terms of prayer clause “B”, which reads thus :

“B. The delay caused in filing present application for bringing legal heirs on record may kindly be condoned and necessary permission may be granted to bring legal heirs of deceased Rangnath Maruti Ukirde i.e. Respondent No.1-(a) & 1-(d) on record.”
4. Amendment to be carried out within two weeks from today. Application is disposed of.

[GAURI GODSE, J.]