

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

**21 CIVIL APPLICATION NO. 6848 of 2023
IN WP/5215/1998**

**DIVSAVANTABAI MANIKRAO SHINDE DIED THROUGH LRS
RAJABHAU MANIKRAO SHINDE AND OTHERS
VERSUS
VINAYAK VISHWANATHRAO DESHMUKH DIED THROUGH LRS
DINKAR VINAYAKRAO DESHMUKH AND OTHERS**

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Advocate for Applicants : Mr.Darak Badribishan A.
Advocate for Respondent Nos. 2 & 3 in WP : Mr.M.L. Dharashive
Advocate for Respondent No. 1 in WP : MR. D.N.Suryawanshi

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CORAM : KISHORE C. SANT, J.

DATE : 17.08.2023.

PER COURT :

1. Heard the parties.
2. This application is filed for bringing the legal representatives of the deceased petitioner No. 4 on record, who died on 02.01.2019. The application is filed after almost four years. It is stated in the application that the petitioners/applicants came to know that the legal representatives of respondent No. 4 are required to be brought on record, when they met their Advocate for the purpose of filing an affidavits.

3. Thus, considering the reasons stated in the application, this Court finds that delay of 1486 days needs to be condoned. The delay is, thus, condoned. The Civil Application No. 6848 of 2023 stands allowed and disposed off.

4. The applicants to take steps to correct the title Clause within two weeks from today.

5. The application is opposed by the respondent stating that the delay is not properly explained. The applicants should have to take steps in time.

6. The application stands allowed with costs of Rs. 2,500/- (Rs. Two Thousand and Five Hundred only), to be paid to the Advocates Library within two weeks.

7. The office to allow the amendment in title clause only on depositing the payment of costs.

(KISHORE C. SANT)
JUDGE

mahajansb/