

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

**25 CIVIL APPLICATION NO.8780 OF 2023
IN SA/724/2006**

**WITH
CA/9174/2009 IN SA/724/2006**

**SUDAM VITHOBA SHINDE
VERSUS
DAGDU RAMBHAU TANAPURE DIED LRS. DATTATRAYA
DAGDU TANPURE AND ORS.**

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Advocate for Applicant : Mr.Suryawanshi Sanket N.

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CORAM : KISHORE C. SANT, J.

DATE : 08.11.2023.

PER COURT :

1. Heard the applicant.
2. The proposed legal representatives of respondents have not appeared inspite of service. This application is filed for bringing the legal representatives on record as stated in paragraph No. 2 of the application. However, there is delay caused in filing this Civil Application. The delay is as below :

- 1) 1601 days for legal representatives of respondent No. 1.
- 2) 4064 days for legal representatives of respondent No. 2.

3) 2944 days for legal representatives of respondent No. 6.

4) 7186 days for legal representatives of respondent No. 7.

5) 1870 days for legal representatives of respondent No. 8.

6) 1383 days for legal representatives of respondent No. 11.

3. However, the said delay is not mentioned in the prayer clauses. Hence leave to amend and correct the prayer clauses to add number of days of delay in the prayer clauses.

4. Since none appears inspite of the service, the Civil Application is allowed by condoning delay. For the reasons recorded in the application the abatement is also set aside.

5. With this the Civil Application stands allowed and disposed.

6. Amendment be carried out within four weeks from today.

(KISHORE C. SANT)
JUDGE

mahajansb/