

SPChauhan

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

CIVIL APPLICATION NO. 12005 OF 2022
WITH
CIVIL APPLICATION NO. 12006 OF 2022
WITH
CIVIL APPLICATION NO. 2019 OF 2022
IN
SECOND APPEAL NO. 377 OF 1991

Shankar Kashinath Vibhute Kadgaonkar Deceased
LRs Nagnath and others ... Appellants

Versus

Krishna Vithoba Kale Deceased
LRs Bhagabai Deceased
Sundarabai Deceased
LRs Maruti and others ... Respondents

....
Mr. Shomit Salunke h/f. Mr. S.S. Chaudhari – Advocate for Appellants
....

CORAM : GAURI GODSE, J.
DATE : 06th February, 2023

PER COURT :

1. This application is for bringing on record heirs and legal representatives of deceased respondent no. 2.
2. Office remark shows that notice is served upon respondent no. 2/D-i to 2/D-iii. The heirs and legal representatives of deceased respondent no. 2 are already served. None appears for them.

3. For the reasons stated in the application, it is allowed in terms of prayer clause 'b'. Prayer clause 'b' reads thus :

“b. The delay of about 814 days caused in filing the Civil Application for bringing the heirs and legal representatives of the deceased Vijay S/o. Bhagwat Narute on record may please be condoned, the deemed abetment order in respect of the deceased Vijay S/o. Bhagwat Narute may please be set aside and the applicants may please be allowed to amend the Second Appeal No.377/1991 by bringing the heirs and legal representatives of the deceased Vijay S/o. Bhagwat Narute on record.”

4. Amendment to be carried out within a period of two weeks from today.

Order passed in Civil Application No. 2019 of 2022

Stand over to 20th March, 2023, for the applicants to take steps.

**[GAURI GODSE]
JUDGE**