

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

CIVIL APPLICATION NO. 864 OF 2013
IN SA/327/1996
WITH CA/3780/1996 IN SA/327/1996

SAKUBAI BHAGINATH BAHIRAV
VERSUS
YADAV PUNJA SALAVE DIED THR
LRS SAKHARABAI AND OTHERS

...
Advocate for Applicant : Mr. P.V. Mandlik
Advocate for Respondent Nos. 1A, 1-B-I, 1-C, 1-D, 1-E & 3 :
Mr. B.A. Dhengle

...

CORAM : R.M. JOSHI, J.
DATE : 16th March, 2023

PER COURT :

1. This application is for condonation of delay for bringing LR's of deceased respondent no. 1-B – Kachru Salve on record and set aside abatement with further prayer to bring names of LR's in the array of respondents.
2. Learned counsel for the applicant states that on the basis of the report of service of notice to respondent no. 1-B, it was revealed that the respondent is dead and, therefore, for want of exact date of death of respondent the period of delay could not be calculated.
3. Learned counsel for the proposed respondents i.e. legal heirs of

respondent nos. 1-B has not disputed the fact of death of deceased respondent no. 1-B.

4. Considering the reasons mentioned in the application, application is allowed in terms of prayer clause 'b-i to b-iii'.
5. Amendment be carried out within a period of two weeks.

[R.M. JOSHI, J.]

SPChauhan