

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

**CIVIL APPLICATION NO. 12340 OF 2023
IN SA/11/2010**

Bhamabai @ Satyabhama Keru @ Kerba Mali
died through L.Rs.

Rajendra Keru @ Kerba Mali

.. Applicant

Versus

Bhima Bhagwan Wadgaonkar and others

.. Respondents

Mr. Rajendra K. Jadhavar, Advocate for the Applicant.

Mr. K. K. Kulkarni, Advocate for Respondent No. 1.

CORAM : KISHORE C. SANT, J.

DATED : 13th OCTOBER, 2023.

P C. :-

. Heard learned advocates for the parties.

2. This application is for bringing legal heirs of deceased respondent No. 3 in appeal i.e. Bhamabai on record who died during the pendency of the appeal. There is delay of 1033 days caused in filing the application.

3. Learned advocate for the applicant submits that, delay is not intentional. Necessary application for bringing legal heirs of deceased is necessary.

4. The application is vehemently opposed by learned advocate Mr. Kulkarni for respondent No. 1.
5. However, for adjudication of the appeal it is necessary to have legal heirs on record.
6. The civil application is allowed by condoning the delay.
7. The appellant in appeal to take steps within a period of two (02) weeks from today to correct the title clause and then move the matter.
8. With this, the civil application stands disposed off.

(KISHORE C. SANT, J.)

PS.B.