

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

CIVIL APPLICATION NO. 12314 OF 2021
IN SA/321/1998 WITH CA/3420/2004 IN SA/321/1998 WITH
CA/7398/2009 IN SA/321/1998 WITH CA/7399/2009 IN
SA/321/1998 WITH CA/14117/2012 IN SA/321/1998

KARMA HURJI VALVI
VERSUS
JALAMSING SHEGA VALVI LRS KALAWATIBAI AND OTHERS

....
Advocate for Applicant : A.M. Lavharale
h/f. Mr. M.M. Patil
Advocate for Respondent Nos. 1 & 2 : Mr. P.N. Surwase
....

CORAM : R.M. JOSHI, J.
DATE : 10th March, 2023

PER COURT :

1. Respondent nos. 1 A and 1 B are duly served.
2. Perusal of application shows that the delay caused in not bringing on record LRs of deceased respondent no. 1 in time, was not deliberate.
3. No prejudice will cause to the proposed respondents, if the same is allowed. The order of abatement against deceased respondent no. 1 is set aside.
4. Delay caused in bringing LRs of deceased respondent no. 1 stands condoned.

5. Amendment to be carried out within a period of two weeks from today.
6. After amendment is carried out, issue notice to respondent nos. 1-A and 1-B, returnable four weeks, thereafter.

[R.M. JOSHI, J.]

SPChauhan