

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

**CIVIL APPLICATION NO. 2006 OF 2019
IN
SECOND APPEAL NO.217 OF 2000**

**DEEPAK SURAJMAL LODHA AND OTHERS
VERSUS
UMRAOBEE GULAB TAMBOLI AND OTHERS**

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Advocate for Appellants : Mr. S. P. Shah
Advocate for Respondent Nos.1, 2 and 4: Mr. S. K. Shinde

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 19.06.2023

PER COURT :

1. Heard Mr. Shah, the learned Advocate appearing for the applicants and Mr. Shinde, the learned Advocate appearing for the respondent nos.1, 2 and 4.
2. A prayer is made to condone the delay of 292 days caused in filing the application to set aside the abatement of present second appeal as against deceased – respondent no.1. The applicants are also seeking permission to bring the legal representatives of deceased - respondent no.1, namely, Umraobee w/o Gulab Tamboli on record of Second Appeal No.217/2000.
3. Having considered the submissions advanced by the respective parties and the reasons mentioned in Paragraph No.3, civil application deserves to be allowed and the same is allowed in terms of prayer clauses - [A] to [C]. Amendment to be carried out within 14 days.

4. In case of failure to carry out the necessary amendment, the application shall be deemed to be rejected.
5. The application is disposed of accordingly.

(S. G. CHAPALGAONKAR, J.)

Sameer