

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

**CIVIL APPLICATION NO.16834 OF 2022 IN
FIRST APPEAL NO. 3177 OF 2015**

Dattatraya s/o Vithal Kapse (died)
through L. Rs.

Applicants

Versus

The State of Maharashtra & another

Respondents

Mr. Prasad B. Kadam, advocate holding for Mr. K. B. Bhise,
advocate for the Applicants
Mr. S. N. Kendre, AGP for Respondent No.1.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 01st February, 2023.

PC :

Heard rival submissions.

The applicants are seeking condonation of delay of
177 days in filing application for bringing themselves on
record.

It is to be noted that the applicants have filed
separate application for bringing themselves on record and
this application is for condonation of delay in filing the said
application.

In view of the same, Civil Application is allowed in terms of prayer clause “B” and disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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

**CIVIL APPLICATION NO.16835 OF 2022 IN
FIRST APPEAL NO. 3177 OF 2015**

Dattatraya s/o Vithal Kapse (died)
through L. Rs.

Applicants

Versus

The State of Maharashtra & another

Respondents

Mr. Prasad B. Kadam, advocate holding for Mr. K. B. Bhise,
advocate for the Applicants
Mr. S. N. Kendre, AGP for Respondent No.1.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 01st February, 2023.

PC :

The applicants are seeking permission to bring themselves on record, being the legal representatives of sole respondent-claimant Dattatraya Vithal Kapse, who, admittedly died on 03.02.2020. Delay condonation application, for this purpose, is already allowed.

As such, considering the right to defend, this application also stands allowed in terms of prayer clause "B" and is disposed of. The State-acquiring body is directed to

carry out the amendment within stipulated period.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb