

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

**911 CRIMINAL APPLICATION NO.3632 OF 2023
IN APEAL/309/2016**

**JAMILABEE LALKHAN @ NASIR KHAN. (DIED) THROUGH
L.RS MANJUR NASIR PATEL AND ANOTHER
VERSUS
SUDHAKAR GANGADHAR UDAWANT**

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Mr. D.S. Patil, Advocate holding for Mr. Mahesh Deshmukh,
Advocate for the applicants.

Mr. B.R. Warma, Advocate for the respondent.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 19th October 2023.

ORDER:-

1. Heard rival submissions.
2. The applicants are seeking condonation of delay of 211 days in bringing them on record as the legal representatives of deceased appellant Jamilabee who is admittedly died on 24.11.2022. They have also brought legal heirship certificate from the 2nd Joint Civil Judge, Junior Division, Aurangabad.
3. Though the learned Counsel for the respondent strongly opposed the application, but since this is an appeal against acquittal of respondent from the charge under Section 138 of the Negotiable Instruments Act, the applicants appear to be contesting party as substantial amount is involved in the matter. As such, the application stands allowed in terms of

prayer clauses (B) and (C). The amendment be carried out within the stipulated period.

4. Application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)