

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

958 CIVIL APPLICATION NO.141 OF 2022
IN FA/816/2019

M.I.D.C., THR DIV. OFFICER, LATUR

VERSUS

SHAIKH FARID S/O GULAB SHAIKH AND ORS

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Advocate for Applicant : Mr Shrirang S.Dande
AGP for Respondent No. 5/State : Mr S.J. Salgare
Advocate for Respondent No. 4 : Mr G.N. Kulkarni (Mardikar)

CORAM : S.G. CHAPALGAONKAR, J.
DATE : 24-02-2023

PER COURT :

1. Heard.
2. This is an application for bringing legal heirs of respondent Nos. 1 and 3 on record of the appeal.
3. The learned advocate appearing for the applicant submits that the intimation regarding death of respondent Nos. 1 and 3 was given by the learned advocate appearing for them by his communication dated 27-11-2021. Immediately after receiving the intimation, present application is filed. The applicant had no personal knowledge about the death of respondent Nos. 1 and 3. Therefore, the delay caused in filing appeal is not intentional. He would urge to condone the delay and allow the application for bringing legal heirs of the deceased respondent Nos. 1 and 3 on record.

4. Having considered the aforesaid submissions and reasons as stated in the application, the application deserves to be allowed.
5. The civil application is allowed. The applicant is permitted to bring legal heirs of deceased/respondent Nos. 1 and 3 on record of the appeal as indicated in para No. 5 of the application.
6. The delay caused in filing this application is condoned.

[S.G. CHAPALGAONKAR, J.]

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