

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION No. 17747 OF 2023  
{(ST.) NO. 7414 OF 2023 }  
IN  
FIRST APPEAL (ST) NO. 13955 OF 2008

State of Maharashtra

...Applicant/  
...Appellant

***Versus***

Gopal Bavalya Tamboli (Since Deceased)  
Through LRS & Ors.

...Respondents

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Ms. Tanaya Goswami, AGP for Advocate for Applicant.  
Mr. Amay Sawant i/b. Mr. Suresh M. Sabrad, Advocate for  
Respondent Nos. 2 to 8.

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**CORAM : M.M. SATHAYE, J.**

**DATE : 11<sup>th</sup> DECEMBER, 2023**

**P.C. :**

1. Not on board. Taken on board.
2. This is an application by State for bringing legal heirs of deceased Respondent No. 1 - Smt. Mangalabai Gopal Tamboli on record, who has expired on 02/01/2012, leaving behind legal heirs as more especially set out in para 3 of the application. Considering the date of death, apparently there is delay of about 10 years and 9 months. However, perusal of the names of proposed Respondents shows that they are already on record in their individual capacity as Respondent Nos. 2 to 8, who are already duly represented by an advocate who is present before the Court.

3. In that view of the matter, the delay is only technical, as such deserves to be condoned. Therefore, considering the averments made in the application and aforesaid circumstances, this application is allowed in terms of prayer clause (b), (c) & (d). The State is permitted to treat Respondent Nos. 2 to 8 as legal heirs of deceased Respondent No.1 - Smt. Mangalabai Gopal Tamboli. Necessary amendment in the Appeal memo and pending application/s be carried out within a period of three weeks from today.

4. Interim application is disposed off. All concerned to act on duly authenticated or digitally signed copy of this order.

**(M.M. SATHAYE, J.)**