

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.7688 OF 2023
IN
SECOND APPEAL NO.789 OF 2012

Sou. Indira Narsappa Chougule
(Since Decd.Thr.Lrs) Mangal
Gundhar Navale

...Applicant

V/s.

Babaso Palgonda Patil And Ors

...Respondents

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P. D. Dalvi for the Appellant/Applicant.

Ms. Priyanka A Babar i/b. Tejpal Ingale for Respondent Nos. 1 to 5.

CORAM : RAJESH S. PATIL, J.

DATED : 28th NOVEMBER, 2023

PC.:

1. This Interim Application is filed to bring on record the proposed legal heirs of the deceased sole Appellant.
2. The Counsel for the Applicant submits that there is some delay in filing this Application.
3. The Counsel for Respondent opposes this Interim Application.
4. The Division Bench of this Court in Keshao s/o. Kawadu Maral and another Versus State of Maharashtra and others,

reported in 2005 (1) MahLJ 1059, condoned the delay of six years in filing the Application of bringing the legal heirs on record, relying on the Supreme Court judgment of Sardar Amarjit Singh Karla (dead) by LRS. and others Versus Pramod Gupta (Smt.) (dead) by LRS. and others, reported in 2003 (3) SCC 272.

5. Taking into consideration the above judgments and for the reasons stated in the application, this Interim Application is allowed in terms of prayer clauses (a) (b) (c).

6. Amendment to be carried out within a period of two weeks from today.

7. Interim Application is accordingly disposed of.

(RAJESH S. PATIL, J.)