

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR**

**CAF NO.2132/2021 AND CAF NO.2133/2021 AND FA NO.12/2018
Chandrakant Tukaramji Shinde**

..VS..

The State of Mah., thr.the Collector, Amravati and ors

Smt.Usha wd/o Chandrakant Shinde and ors : Applicants

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

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Shri D.G.Patil, Counsel for the Applicants.
Shri M.A.Kadu, AGP for R-3 & 4.
Mrs.Shamsi Haider, AGP for R-1 & 2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 09/02/2023

1. Applicants seek condonation of delay caused in filing application for bringing legal heirs of deceased appellant on record and for bringing legal heirs of the appellant on record. Delay is of 504 days.
2. As per contentions of applicants, during pendency of this appeal, the appellant died on 18.2.2020. The deceased appellant was looking after the matter and after his death, applicants were not aware about pendency of the appeal. When applicants got knowledge about pendency of the appeal, they approached counsel and, therefore, the delay is caused. As per contention of applicants, the delay is not intention one.
3. The said application is opposed by respondents on the ground that no justifiable reason mentioned in the application and the application deserves to be rejected.

4. Heard and perused the application. Reasons mentioned in the application appears to be just and reasonable.

5. For reasons stated therein, applications are allowed. The delay stands condoned. Legal heirs of the appellant be brought on record. Necessary amendment be carried out within a period of three weeks.

6. Civil applications are disposed of.

7. Place the first appeal after three weeks.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

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