



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 CIVIL APPLICATION NO. 1565 OF 2024
IN SECOND APPEAL NO. 421 OF 2001

BHITUBAI KANSARYA BHIL L.RS. THAKASINGH L.RS. GULAB
THAKSINGH PADVI AND OTHERS

VERSUS

REVAKABAI KANSARYA BHIL

...

Advocate for Applicants : Mr. G. R. Syed

Advocate for Respondent /non applicant: Mr. A.G.Magre

Mr.S.S.Ambilwade

...

WITH

SECOND APPEAL NO. 421 OF 2001

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CORAM : Y. G. KHOBRAGADE, J.

DATE : 16.04.2024

PER COURT :

1. Heard the learned counsel appearing for the appellants/applicants and the learned counsel appearing for the non-applicant at length.

2. By the present application, the appellants pray for condonation of delay of 5293 days and 4059 days caused while filing this application for bringing the legal heirs of the appellant nos. 1 and 2, setting aside abatement, so also for permission to bring the legal heirs of appellants on record. According to the appellants/applicants , they are legal heirs

of the appellants and when the matter was listed for final hearing, they informed to their counsel about death of the deceased appellants. The explanation is given by the applicants appears to be bonafide. Therefore, the delay is hereby condoned. The abatement is set aside. The applicants are permitted to substitute the names. Necessary amendment be carried out within period of one week from today.

3. The learned counsel appearing for the applicants undertakes to pay deficit court fees on the present application as by way of present application, the applicant prays for condonation of delay caused while bringing the legal heirs of the deceased appellant nos.1 and 2 on record, setting aside abatement and permission to bring the legal heirs of deceased appellants on record.

4. The required deficit court fees shall be paid within period of one week from today failing which the order shall stand recalled.

5. Civil Application is disposed of accordingly.

(Y. G. KHOBRADE, J.)

shp