



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 2039 OF 2024
IN SA/627/2013**

**KARBHARI TATYABA DAWANGE L.RS. SONUBAI KARBHARI DAWANGE
AND OTHERS**

VERSUS

PRAKASH BHASKARRAO DAWANGE AND OTHERS

Mr. P. B. Shirsath, Advocate for the applicants

CORAM : R. M. JOSHI, J.

DATE : 16th FEBRUARY, 2024

P.C. :-

1. This application is filed for condonation of delay of 769 days bringing LR's of deceased sole appellant on record. Second Appeal No. 627 of 2013 is the stage of admission without notice being issued to the other side and hence application is heard without notice. Perusal of the application indicates that the said appeal was prosecuted by the constituted attorney of deceased appellant. Deceased died during Covid-19 pandemic period. Hence delay is caused.

2. Considering reasons mentioned in application, which are sufficient for condonation of delay and as no malafides can be attributed to the applicants in not bringing themselves on record in place of deceased appellant in time the delay deserves condonation. Hence, application is

allowed in terms of prayer clauses 'B' to 'D'.

3. Amendment to be carried out within two weeks.
4. Appeal be placed for admission on 15th March, 2024.

(R. M. JOSHI, J.)

ssp