



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

**34 CIVIL APPLICATION NO. 1345 OF 2020
IN WRIT PETITION NO.2050 OF 2003**

**DR.KANHAIYASINGH GOVINDSINGH TEHARA
THROUGH LRS SHOBHNA SUBHASHSINGH RAJPUT
AND OTHERS**

VERSUS

KAILASH KISHAN KADAM AND ANOTHER

...

Advocate for Applicant : Adv.P.G.Suryawanshi h/f. Talekar &
Associates

Advocate for Respondent nos.1 and 2 : Adv.Krishna Rodge h/f.
Adv.Geeta Deshpande

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CORAM : ARUN R. PEDNEKER, J.

DATE : 11.03.2024

P.C. :

1] The present Civil Application is filed to bring on record the legal heirs of the deceased applicant, namely, Dr.Kainhaiyasingh Govindsingh Tehra, along with prayer for condoning the delay of 321 days caused in filing the present application.

2] The learned counsel for the applicant submits that when the matter was listed on 27.01.2020, the learned advocate for the applicants came to know about death of the applicant and thereafter, the application is filed to bring on record the legal heirs of the applicant. Therefore, in the process, there is delay caused in filing the present

application and the delay is not intentional and deliberate. Considering the said fact, the present civil application may be allowed.

3] The learned counsel for the respondent has objected to allow the present civil application.

4] For the reasons stated in the Civil Application, the same is allowed. Delay is condoned. The abatement, if any, stands set aside. The applicants are permitted to carry out amendment within period of two weeks. Civil Application is disposed of accordingly.

5] List the matter for hearing in due course as per it's turn.

[ARUN R. PEDNEKER]
JUDGE

DDC