



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

49 WRIT PETITION NO. 12975 OF 2017
WITH
CIVIL APPLICATION NO. 1843 OF 2024
IN WP/12975/2017

LAXMAN KUNDALIK TODMAL THROUGH GPA BAPUSAHEB
LAXMAN TODMAL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the Petitioners : Mr. N. C. Garud.
AGP for Respondent/s-State : Mrs. R. R. Tandale.
Advocate for Respondent Nos.3 to 5 : Mr. Dhorde Pramod P.

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CORAM : S. G. MEHARE, J.
DATE : 13.02.2024

PER COURT :-

1. Heard the learned counsels for the respective parties.
2. There is delay of around one and half year for bringing the legal heirs of the petitioner.
3. The application has been opposed, contending that the proceeding has been deliberately protracted. The contesting respondent is running 77. Hence, delay may not be condoned.
4. It is a matter of mutation entries. The case is pending since long. No purpose would serve, if the delay is not

condoned. However, taking liberal view, the application is allowed.

5. The delay in preferring the application for bringing the legal heirs has been condoned subject to costs of Rs.5,000/- to be paid to the contesting respondent Kashibai within a month.

6. Necessary amendment be carried out on or before the next date.

7. List the matter after a month.

8. Interim relief granted earlier to continue till the next date.

(S. G. MEHARE, J.)

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vmk/-