

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

**907 SECOND APPEAL NO. 448 OF 2022
WITH CIVIL APPLICATION NO. 2999 OF 2024
IN SA/448/2022 WITH CIVIL APPLICATION NO. 10369 OF
2022 IN SA/448/2022**

**BALU RAGHUNATH GAIKWAD AND ANOTHER
VERSUS
PANDIT GENUJI PATIL**

...
Advocate for Appellants : Mr. Nitin Jagadale h/f Mr. V.D.
Salunke

Advocate for Respondent No. 13 to 16 : Mr. Shoyab Shaikh

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 19th April 2024

ORDER:-

IN CIVIL APPLICATION No. 2999/2024

1. Heard rival submissions.
2. The applicants/appellants are seeking permission to bring on record legal representatives of respondent No. 2 and 7 who died on 28.10.2007 and 23.03.2018 respectively. The learned counsel for respondent No.13 to 18 strongly opposed the application on the ground of inordinate delay. However, the legal heirs of respondent No.2 are already on record being respondent Nos. 13 to 18.

3. In view of the same, the application is allowed only to the extent of legal representative of deceased respondent No.7, by condoning the delay of 2062 days, subject to cost of Rs. 3,000/- (Rupees three thousand), to be paid to the Library, Advocate Association of High Court Bombay, Bench at Aurangabad. The amendment in respect of legal representatives of deceased respondent No.7 be carried out within stipulated period and after deposit of cost. The application accordingly stands disposed of.

4. On carrying out the amendment, issue notice to legal representatives of respondent No.7, returnable on 10.05.2024.

(SANDIPKUMAR C. MORE, J.)

Y.S. Kulkarni